


# Braille Monitor



JUNE, 1976

VOICE OF THE NATIONAL FEDERATION OF THE BLIND



Digitized by the Internet Archive  
in 2010 with funding from  
National Federation of the Blind (NFB)

<http://www.archive.org/details/braillemonitorju1976nati>

# THE BRAILLE MONITOR

*A Publication of the*  
NATIONAL FEDERATION OF THE BLIND  
KENNETH JERNIGAN, *President*

*National Offices*  
218 RANDOLPH HOTEL BLDG.  
FOURTH & COURT STREETS  
DES MOINES, IOWA 50309

*Washington Office*  
DUPONT CIRCLE BLDG., SUITE 212  
1346 CONNECTICUT AVENUE, NW.  
WASHINGTON, D.C. 20036

THE NATIONAL FEDERATION OF THE BLIND IS NOT AN ORGANIZATION  
SPEAKING FOR THE BLIND—IT IS THE BLIND SPEAKING FOR THEMSELVES.

## THE BRAILLE MONITOR

PUBLISHED MONTHLY IN INKPRINT, BRAILLE, AND ON TALKING BOOK DISCS  
BY THE NATIONAL FEDERATION OF THE BLIND

*Editor*

**PERRY SUNDQUIST**  
4651 MEAD AVENUE  
SACRAMENTO, CALIF. 95822

*Associate Editor*

**HAZEL tenBROEK**  
2652 SHASTA ROAD  
BERKELEY, CALIF. 94708

NEWS ITEMS SHOULD BE SENT TO THE EDITOR

ADDRESS CHANGES SHOULD BE SENT TO  
2652 SHASTA ROAD, BERKELEY, CALIFORNIA 94708

DONATIONS AND SUBSCRIPTION PAYMENTS SHOULD BE MADE PAYABLE TO  
THE NATIONAL FEDERATION OF THE BLIND AND SENT TO  
RICHARD EDLUND, TREASURER, NATIONAL FEDERATION OF THE BLIND,  
BOX 11185, KANSAS CITY, KANSAS 66111.

\* \* \*

If you or a friend wishes to remember the National Federation of the Blind in your will, you can do so by employing the following language:

"I give, devise, and bequeath unto NATIONAL FEDERATION OF THE BLIND, a District of Columbia nonprofit corporation, the sum of \$\_\_\_\_ (or, "\_\_\_\_percent of my net estate", or "the following stocks and bonds: \_\_\_\_") to be used for its worthy purposes on behalf of blind persons."

If your wishes are more complex, you may have your attorney communicate with the Berkeley Office for other suggested forms.

CONTENTS

NAC'S UNETHICAL BEHAVIOR EXPOSED BY NCSAB PRESIDENT .....	266
BLIND WIN A SEPARATE BUREAU IN KENTUCKY .....	268
BLIND TEACHERS RECEIVE DUE PROCESS IN U.S. DISTRICT COURT .....	274
BY TED YOUNG	
THE CHICAGO LIGHTHOUSE FOR THE BLIND AND THE NATIONAL LABOR RELATIONS BOARD .....	278
BY JAMES OMVIG	
THE CANINE SIDE OF THE CONVENTION .....	289
BY ROBERT ESCHBACH	
REPORT OF COMMITTEE ON PARENTS AND ADOPTION .....	292
BY SUSAN FORD	
STATE DEPARTMENT DISCRIMINATION AGAINST THE BLIND AIRED IN SENATE COMMITTEE .....	293
CONNECTICUT BLIND SEEK RIGHT TO TEACH: HUMAN RIGHTS VERSUS THE OAK HILL SCHOOL .....	295
BY JONATHAN MAY	
THE BLIND SCULPTOR OF SANTA FE .....	297
BY OLGA CURTIS	
THE FEDERATION AS A WAY OF LIFE .....	298
NOTED BLIND PERSONS IN AMERICAN HISTORY: THE BLIND BOATBUILDER .....	299
BY SHARON GOLD	
FLORIDA CONVENTION .....	300
BY JUDIE WELCH	
ALABAMA CONVENTION .....	301
TEXAS CONVENTION .....	303
BY PEGGY MELTON	

MARYLAND CONVENTION .....	304
BY DORIS SAMUELS	
RECIPE OF THE MONTH .....	305
SUBMITTED BY EILEEN EDLUND	
MONITOR MINIATURES .....	306

## NAC'S UNETHICAL BEHAVIOR EXPOSED BY NCSAB PRESIDENT

Repeatedly we have been told by NAC and its supporters that NAC stands for "ethics," for "professional conduct," and for "high standards in work with the blind." When we have revealed NAC's ward-heeling tactics, we have been answered not with logic but with slander and abuse. Over and over NAC has said that only the National Federation of the Blind is concerned about NAC's behavior or critical of its performance.

Now comes a letter from the president of the National Council of State Agencies for the Blind—unequivocal and direct. He is willing for the letter to be distributed, and he lays it on the line. NAC (which everybody knows is an arm of the American Foundation for the Blind) is attempting political subversion of the state agencies for the blind throughout the country. Study the following correspondence, and see whether this is what it says. Will NAC still tell us that they are ethical, that everyone supports them except the National Federation of the Blind, and that they are "professional"? Some standards! Some professionalism! Some ethics!

[Note.—Readers will remember that Harold Bleakley is not only a member of the NAC Board, but also was chairman of the NAC liaison committee on consumer participation.]

COMMISSION FOR THE BLIND,  
Portland, Oregon, March 24, 1976.

Mr. W. HAROLD BLEAKLEY,  
President, Center for the Blind,  
Philadelphia, Pennsylvania.

DEAR HAL: It was a pleasure to meet and talk with you during your visit to Oregon during the past weekend. I hope that you had an enjoyable and profitable trip.

As you requested, following are some concerns I have regarding the information I have received on Dick Bleecker's involvement in the affairs of the NCSAB:

(1) I have been told that Dick has phoned a number of state directors, encouraging them to attend NCSAB meetings, and asking that they support NAC in the discussions and voting that takes place.

(2) I also was told that he played a major role in the discussions during the unscheduled meeting in Washington in early February, even to the extent of suggesting strategies to proceed with the conduct of the meeting without representation of duly-elected officers, and ways in which the by-laws could be used and/or changed to accomplish the purposes desired by NAC.

It seems inappropriate to me that Bleecker should become involved in the internal affairs of the NCSAB, or that he should interfere in the exercise of responsibility and judgment of state agency directors, who have an obligation to deal with matters brought before the NCSAB in a manner in which they determine to be the best interests of their state program, as well as in the best interests of the state programs for the blind generally.

If the NAC executive director is responsible for involvement in the "politics" of private and/or public organizations in the

field, in order to further the cause of NAC, I believe that this fact should be publicized. As a state agency director, however, I feel that I am capable of making my own decisions, and soliciting advice or information when needed. I resent, however, outside involvement in the internal affairs of any organization of which I am a member, whether it is NCSAB, AAWB, CSAVR or whatever.

I hope that the comments and information provided above are those which you wanted. If not, please let me know.

Sincerely,

ROBERT L. POGORELC,  
*Administrator.*

---

CENTER FOR THE BLIND,  
*Philadelphia, Pennsylvania, March 30, 1976.*

Mr. ROBERT L. POGORELC,  
*Administrator, Commission for the Blind,  
Portland, Oregon.*

DEAR BOB: Thank you for your letter to me under date of March 24, 1976. This is the kind of activity which I do not believe should be within the scope of the executive director of an accrediting agency. It is the same kind of political activity in which he engaged at the national convention of the American Council of the Blind in Mobile, Alabama last summer. It is also the same kind of political activity in which he engaged when he forwarded to all NAC Board members and NAC member agencies a resolution adopted by the American Council of the Blind at their convention last summer.

My convictions are that these activities are designed to further NAC's desires to circumvent consumer representation on their board. The implications give me deep concern. If Dick Bleecker feels that it is ethical for him to engage in activities such as you describe in your letter, then do we have any reason to doubt that he would also consider it ethical to engage in similar activity regarding the accreditation of an agency for the blind? If this occurred, the whole system and concept of accreditation is false.

I would like to use the information provided in your letter to demonstrate the unprofessional manner in which NAC is handling its responsibilities. I feel, however, that publicizing the contents of your letter without your specific authorization would not be proper. Please give me your thinking concerning this. If you tell me that you do not wish this information published, I will, of course, not reveal it. If you, on the other hand, give me your authorization to use this information publicly, I will do so. Please let me know your wishes and please be assured that I will be guided by your thinking in this matter.

I enjoyed meeting and talking with you in Portland and I hope that we will have the opportunity to meet many times again and get to know each other much better.

Kind personal regards.

Cordially yours,

W. HAROLD BLEAKLEY,  
*President.*

---



COMMISSION FOR THE BLIND,  
Portland, Oregon, April 12, 1976.

Mr. W. HAROLD BLEAKLEY,  
President, Center for the Blind,  
Philadelphia, Pennsylvania.

DEAR HAL: Thanks for your letter of  
March 24th.

I'm not sure how you propose to publicize the contents of my letter, nor do I know who would be interested in my views, except possibly other members of the NAC

Board. On the other hand, if my letter can serve to resolve the problems expressed therein, then it would seem appropriate that it be used for that purpose.

Therefore, feel free to use my letter as you see fit.

Sincerely,

ROBERT L. POGORELC,  
Administrator.

□

### BLIND WIN A SEPARATE BUREAU IN KENTUCKY

*Editor's Note.—In the April issue of the Braille Monitor we left the saga of the Kentucky affiliate's struggle to obtain a separate program of services for the blind as it moved from the administrative to the legislative arena. The following report from Kentucky gives the history of the successful efforts of a determined NFB affiliate to achieve a better life for its blind citizens.*

A two-year struggle has resulted in the creation of a new separate agency for the blind of Kentucky. The story of this great Federation victory involves a cast of some of Kentucky's most prominent blind and sighted leaders joining in the effort to free the programs for the blind from the domination and oppression of the Bureau of Rehabilitation Services.

The blind in Kentucky had been expressing some dissatisfaction with services for several years. At the same time, the professional staff in the Division of Services for the Blind and the Rehabilitation Center for the Blind had become frustrated by the feeling that their hands were tied by the head of the Bureau of Rehabilitation Services, Mr. Ben F. Coffman.

Tim Cranmer, Director of the Division of Services for the Blind, at one time expressed this frustration to members of the State Board of Education when he said, "The Director of the Division of Services for the Blind does not have an appropriate level of control over the budget of the Division, the personnel of the Division, nor does he have appropriate control over the policies affecting the rehabilitation and other services to be provided for the blind." Fred Gissoni, Supervisor of the Rehabilitation Center for the Blind, expressed the same charges: he did not have control over the Center's personnel, budget, or service policy.

The widespread dissatisfaction finally erupted when eighteen professional workers in the Division of Services for the Blind and Rehabilitation Center signed a petition charging the Bureau of Rehabilitation Services with discrimination against blind people. Battle lines quickly formed.

Dr. Lyman V. Ginger, then Superintendent of Public Instruction, led the fight against the blind with the advice and support of Ben F. Coffman, head of the Bureau

of Rehabilitation Services. They resorted to the usual bureaucratic maneuvers to maintain their power over the blind. They hired a national management consulting firm to make a study of the programs for the blind in the State. To assure that the results would be predictable, the consulting firm engaged a well-known member of the American Council of the Blind to serve as one of the investigators. When the report was submitted, it said (as we knew it would) that the charges of discrimination were all false and that the blind people who leveled those charges were incompetent. Of course, this is not the language of the report but that is what it all boiled down to.

At about the time of the study, the mailing list of the Library for the Blind and Physically Handicapped was leaked to the Kentucky affiliate of the American Council of the Blind. ACB had been dead in Kentucky for more than seven years. Ginger and Coffman apparently saw a need to resurrect ACB so that it could support the shaky position of the Bureau. To make sure that the general agency could rely on support of ACB, Coffman hired a blind daughter of Mr. Carl Dotson who is the "behind-the-scenes organizer" of the ACB chapter in Kentucky. The president of ACB (in name only) is Dotson's son-in-law. Before things get too complicated, it should be recorded that Dotson's brother-in-law was to be promoted to the position of Supervisor of the Rehabilitation Center and that all of the blind people who did not sign the petition against the Bureau also would receive promotions.

To all of these dirty tricks the leak of the Library list was the most reprehensible and proved to be very damaging. The list was illegally used by the opposition to send many pieces of hate literature, anti-Federation propaganda, and an endless stream of

irresponsible mailings intended to incite and confuse the blind citizens of the State.

Forces favoring separation of the agency for the blind from the general rehabilitation agency were mobilized by Charles L. Allen, president of the Kentucky Federation of the Blind. President Allen won the support of Tim Cranmer, the Director of the Division of Services for the Blind; Fred Gissoni, Supervisor of the Rehabilitation Center; and a new organization known as the Kentucky Association of State Workers for the Blind, with Fred Gissoni as its president. This organization was invaluable throughout the legislative process. Other supporters backing Allen included Dr. Emerson Foulke, the blind psychologist who heads the Perceptual Alternatives Laboratory at the University of Louisville; Bobby Arnold, blind president of the Young Democrats of the Southeast Region; David Murrell, blind deputy public defender and an outstanding attorney; Mrs. Thelma Stovall, Kentucky's gracious Lieutenant Governor; Lynn Mitchell, blind attorney for the Department of Human Resources; Joe Prather, president pro tem of the State Senate; and scores of other hard-working Federationists and sympathizers.

By November of 1975 the stage was set for the launching of a legislative effort to establish a separate agency for the blind. President Allen met with Governor Julian Carroll and Lieutenant Governor Thelma Stovall at which time he disclosed the Federation plan. Governor Carroll said to President Allen, "Go on with your plan. If I have any other plans or recommendations to make, I will get back to you." Allen left that meeting with the feeling that the Federation could proceed to contact legislators without concern for undue interference from the Governor's Office.

A Federation rally was scheduled in Louisville for January 24, 1976. Several hundred Federationists and friends of the blind came to the rally to hear talks by Murrell, Arnold, Foulke, and Allen explaining the need for separation and describing the method to be followed to bring it about. It was at this meeting that the moving "Declaration of Independence of the Blind of Kentucky" was first presented. Much of this declaration was printed in newspapers throughout the State of Kentucky. Practically everyone attending the rally signed a petition urging the establishment of a Commission for the Blind.

Our bill was introduced the following week by Representative Mitchell Denham, a physician from the northern part of the State, and Representative C. M. "Hank" Hancock, a degree-holding plumber from Frankfort. This team grieved with us when the bill seemed to be in trouble and cried with joy with us when it passed.

The bill in its original form provided for a commission very similar to the Iowa Commission for the Blind. We were soon hearing whispers from the Governor's aides that the commission form of administration for an agency was in disfavor with the State's chief executive because he felt that there would be inadequate accountability. There was no indication that there would be any high-level opposition to other forms of a separate agency.

Our bill, now known as H.B. 437, was assigned to the State Government Committee in the House of Representatives, and the Federation efforts to win votes were begun in earnest. Our blind citizen advocates talked to the legislators about our problems and the need for our own agency. They gave to the legislators Federation literature and

written arguments. On one occasion, Allen called for a mass "Federation visit to the Legislature," and more than a hundred supporters came to the capitol halls to carry signs and wear campaign-type buttons urging the General Assembly to vote yes on H.B. 437. Thousands of letters were received in support of the bill. Mail-o-grams came in large numbers—at the expense of individual supporters.

The opposition observed these efforts of the supporters of the bill and countered with more dirty tricks. The worst of these was organized by Charles E. Cox, the blind pacifist who had just been named by Dr. Ginger as the Director of Services for the Blind, unseating without conscience Tim Cranmer. Cox called together the blind laborers of the Kentucky Industries for the Blind and told them that if H.B. 437 were passed that they would lose their jobs. Even though this was an outright lie, it served his purpose of frightening the blind workers who depended on him and trusted him. Cox told the workers that there would be a bus available to take them to Frankfort to lobby against the bill. For days the talk among the workers at the Industries for the Blind revolved around the fear that if they did not get on the bus they would lose their jobs. These laborers came to Frankfort accompanied by some sighted volunteers who had been recruited for the purpose. New white wooden canes were handed out to all of the people on the bus whether or not they usually used a cane so that it would appear that all of the lobbyists against the bill were blind people. Yes, amazing as it may seem, Cox and the ACB were engaging in a deliberate attempt to deceive the General Assembly of the State of Kentucky. Fortunately, one of the eager volunteers began collecting the canes while the group was still on the capitol floor and was

observed in the act by more than one legislator.

The opposition became intense. Hearings were scheduled before the State Government Committee. The capitol halls were lined with sign-carrying blind people. Carrying signs supporting the bill were Kentucky's most prominent blind citizens. Carrying signs opposing were the blind workers from the Kentucky Industries, the Dotson family, and sighted volunteers. Making speeches before the committee were Dr. Foulke, David Murrell, and President Allen in favor, and one ACB sympathizer who had helped leak the Library mailing list, along with two workers from the Industries, the last one an elderly lady who had been so frightened by the lies that she openly wept and pleaded with the committee to defeat the bill so that she and others might be allowed to work. The committee voted and we rejoiced. The vote was thirteen yes and three passes.

Now on to the Rules Committee of the House. They could hold the bill for only five days and they held it the full time. Our efforts were sustained. Every day Allen was on the floor. We were increasingly apprehensive. Why wouldn't the Rules Committee vote? We knew that we could win on the floor of the House if we could get the bill out of committee. Then we had contact from the Executive Mansion. The message was that we must compromise—a separate agency would be okay but not in the form of a commission. We cannot report here the mechanics of the negotiations, but we can report that a mutually acceptable amendment was agreed upon that would drop the commissioners specified by H.B. 437 and establish instead an independent Bureau of Services for the Blind *at the department level* with only one man between the new

agency and the Governor. With this agreement reached, the Rules Committee released the bill at the last minute. H.B. 437 went to the House floor to be passed by the impressive majority of fifty-six to twenty-five.

House Bill 437, the Federation citizen advocates, and the motley opposition all moved across the capitol building to the Senate chambers with just ten days left before the General Assembly would adjourn and go home for two years. The first hurdle in the Senate was the State Government Committee. Again there were hearings. This time the opposition included Dr. Lyman Ginger as a principal speaker. He was aided by the Uncle Tom from the Library. The advocates of the bill were represented by Bobby Arnold, who proved to be more than equal to the task. When the speeches were over, the committee voted seven to zero in favor. Our excitement was again at a high level although it had to be short-lived because of the one great obstacle left—the Rules Committee of the Senate.

Time was running out. It was necessary that the Rules Committee have the bill one day before it could be voted on. It went to the Rules Committee on Wednesday but did not receive action. Thursday was the last day for the Senate to receive bills on which they could take action. The Rules Committee met again Thursday morning, this time to be the last meeting. It was now or never. Thelma Stovall, a member of the Rules Committee, moved that H.B. 437 be voted out favorably. There was a show of hands; five yes, five abstaining. Thelma pleaded for just one more vote. It did not come. The bill was lost. Thelma Stovall came from the committee room and talked with us where we had been waiting in the hall. "The bill is dead," she said, "I tried,

but we lacked one vote.” Joe Prather, president pro tem of the Senate who was another member of the committee, talked to us. “I am afraid it is lost,” he said. “There is nothing more that can be done.”

There were scores of blind people standing silently in the halls of the State capitol listening to the pronouncement of failure—scores of blind people from Frankfort, Lexington, Louisville, Owensboro, and other parts of the State now standing in the quiet halls robbed of hope. The despair was so profound that the weeping was done in silence.

What was there to do? Wait two more years? Suffer the retaliation from a vengeful Bureau? For five minutes that seemed more like an hour we were paralyzed. Then there were expressions of determination. Allen initiated an emergency plan to get five members of the Senate to sponsor a resolution that would force H.B. 437 onto the floor for a vote. Other members scattered to confer with the Governor’s staff and to contact key senators. The opposition learned that the bill was dead and went home to celebrate. The morning wore on with little reason for encouragement. By 11:00 a.m. Allen had four of the five required signatures for the resolution although he still had very little hope that the maneuver would be effective even if the resolution were introduced because of the great reluctance of the Senate to override the committee system. Just after 11:00, Thelma Stovall came to us to say that there was to be a leadership conference at noon with the Governor and that H.B. 437 would be on the agenda. We waited and fought with despair throughout the lunch hour. It was the last day that the Senate would be voting on bills and there was only one more session scheduled. Minutes before the Senate was

convened, the Lieutenant Governor told us that there was to be a special meeting of the Rules Committee at her desk on the floor of the Senate and that this time we would have the necessary votes.

We filed into the gallery of the Senate and took our seats to watch the drama of the afternoon unfold. The atmosphere was charged with anticipation by the time Lieutenant Governor Stovall said, “Members of the Senate, please be at ease; will the members of the Rules Committee please assemble at the president’s desk.” The microphones were turned off and the meeting was conducted in silence so far as we could tell in the gallery. A sighted friend relayed what was going on. “They are gathering around Thelma’s desk. There seems to be a lot of talking going on. Thelma is talking to them now. There is a show of hands and everyone seems to have his hand up. They are walking away.”

The microphones were turned on and the Senate was called to order. An hour later the chairman of the Rules Committee gave a report of the special meeting. House Bill 437 was reported to the floor with recommendation that it be passed. It was posted on the Orders of the Day with an amendment from the floor. The gallery whispered, “What amendment? Who has proposed an amendment? What is it to provide?” Again Allen, Murrell, and Arnold went into action. They sent requests to senators to come out and confer in the hall about the amendment. They learned that the amendment was being proposed by a member of the Education Committee, and that it would place the new bureau right back in the Department of Education, which would practically destroy the intent of the bill. Our delegation converged at the desk of the senator proposing the amend-



ment. There followed a most exceptional conference on the floor of the Senate while the Senate was still in session. The senator from the Education Committee agreed to withdraw the amendment.

Another hour of anxious waiting. Then the majority leader asked that H.B. 437 be brought from the Orders of the Day and voted on for passage. The rollcall began. The first senator voted yes, the second asked to explain his vote and spent ten minutes talking against the bill. He voted no and urged his colleagues to do the same. The third vote was yes, but the fourth asked for time and spent ten more agonizing minutes talking against the bill. By this time, the tension in the gallery was almost beyond endurance. We were holding hands, leaning forward, perched on the edge of our seats, waiting breathlessly for each vote. They came now fast and easy—yes, yes, yes, yes. Murmuring in the gallery—short ripples of applause—yes, yes, yes, yes. The noise was against the rules. Thelma Stovall with her

smile in her voice calling for order in the gallery: "Applause in the gallery is not permitted." More subdued clapping—yes, yes, yes—The vote was 31 yes, three no, and our joy overwhelmed us as we left the gallery laughing, crying, clapping, hugging.

Thirteen calendar days later Governor Julian Carroll signed H.B. 437, "An Act Relating to the Establishment of a Bureau of Services for the Blind." In signing the bill, he fulfilled a commitment made two months earlier when he said to about fifty Federationists in his office, "If you get your bill through the General Assembly, I will sign it."

The legislative struggle is over but the work has just begun. The Kentucky Federation of the Blind will maintain its determined efforts until Kentucky implements the new "Bureau of Services for the Blind" in a manner that will reflect to the credit of all of those who worked so hard to bring it into being. □

## BLIND TEACHERS RECEIVE DUE PROCESS IN U.S. DISTRICT COURT

BY

TED YOUNG

*Editor's Note.—In the case of Gurmankin v. Costanzo, the United States District Court in Pennsylvania came down with a strong decision in favor of blind teachers. It is the first time a case has gone through the whole process and not been settled out of court before a decision was rendered, on this subject. The case is, therefore, precedent for the whole country until it is overturned by a higher tribunal.*

In a free society each person—regardless of his or her apparent differences—should be regarded as an individual who, as in the case of all individuals, possesses various strengths and weaknesses and desires to maximize his or her potentials.

However, we the blind are faced with the constant necessity of struggling against the misconceptions and stereotypes about blindness in our society, which would, if unchallenged, deny us equal opportunities and first-class citizenship.

Regarding the above statements one might speculate that if the blind are stereotyped by society, the misconceptions which are the basis of the barriers confronting us can be swept away by the accomplishments and success of a blind individual, and certainly by the accomplishments of a large number of blind people. However, this suggestion disregards the fact that mankind is loath to change long and deeply held beliefs, regardless of how bogus such beliefs may be. It is certainly far easier to regard the accomplishments and successes of a blind person as the exception to the rule, "that

marvelous superman," than to engage in the introspective task of dredging up many misconceptions and changing the stereotype. This does not mean that the individual accomplishment is not important. Indeed, such accomplishments and successes do change the attitudes of the more thoughtful in our society, and perhaps more important, serve as the positive proof in the many battles that must be waged against the closed minds of others.

If you have been active in the Federation or a reader of the *Monitor*, the above statements are not new or surprising as we have learned long ago that we must collectively fight for our rights as first-class citizens. Indeed, the essence of our strength is in the fact that we have organized. Our organization is not some faraway entity with an army doing great things for the blind; the National Federation of the Blind is individual Federationists as members of local chapters and state affiliates; and our victories for any blind person in any state of the Nation benefit all of the blind through setting precedents which can be used in the next battle. In the area of legislation we not only fight together for our victories in the Congress, we also benefit when our fellow Federationists gain legislative victories in any state which we can then use as a model for progress in our own.

The following is a case study in the value and strength of our collective power, and represents another in the ever-increasing arsenal of answers to the question "Why the National Federation of the Blind?"

First allow me to introduce you to the Philadelphia Public School District, long a bastion of discrimination against the blind. One thing that can be said about your new acquaintance is that it has no shame concerning its antediluvian attitudes about blindness. For example, a blind clerk typist who had worked faithfully for this school district for thirteen years, seldom missing a day, was classified as a substitute and denied full benefits because of a policy against hiring the blind. Fortunately, this discriminatory episode was brought to an end in early 1974 when Liberty Alliance of the Blind brought pressure to bear on the school board and the Mayor's Office.

In November 1972, Liberty devoted one of its publications to a study of blind teachers in the various public school systems throughout the Nation. Much of the material for this publication was already available through studies and literature from our NFB National Office. We cited changes in the laws of various states, including Pennsylvania, which Federationists had gained to prevent discrimination against blind teachers, and various court cases which have been fought and won by Federationists throughout the country as they struggled for admission to the teaching profession. We sent copies of this well-researched publication to each member of the Philadelphia School Board, putting them on notice that we intended to put an end to their discriminatory practices. The educators refused to be educated and we received no response.

Next, I would like to introduce Miss Judy Gurmankin. Judy is not a particularly militant person. Indeed, the only thing that she has demanded of society is the opportunity to practice the profession for which she has been trained; namely, teaching. A sad commentary on our society is that, if Judy had

been sighted, this desire would not have merited a sentence in a local newspaper, not to mention the front-page coverage it recently received. Indeed, one of the goals of our movement is to arrive at the time when the desires of the blind to participate in professions that others take for granted will become so accepted that they will merit no special attention by the press. However, that long-sought-for day will come only when society truly understands that the real handicap of blindness is not the loss of vision, but rather society's attitudes concerning blindness.

In this case Judy's problem was not her own blindness. She had graduated from Temple University where it was clearly indicated that she was capable of being a teacher. The school in which she had completed her student teaching requirement felt that she was qualified, and during that experience her students had come to love and respect her. Her problem was the Philadelphia Public School System which would not even allow her to student-teach in its schools and forced her to endure far more traveling time and effort to achieve this college requirement than any of her sighted fellow students.

Judy had contacted the personnel officials of the Philadelphia School District long before her graduation from Temple and she continued to do so afterward; however, these contacts yielded only discouragement and denial of opportunity. She had even been refused the right to take the examination for secondary English teacher necessary for employment in that system.

The time has come to make one final introduction. Jon Stein is an attorney who is also chief of law reform at Community Legal Services in Philadelphia. Jon is no



stranger to the philosophy of the movement or to the members of Liberty Alliance. We have constantly sought legal advice from him and he has worked with us in our battles against local agencies for the blind and in individual battles against discrimination.

In early 1974, Jon entered this battle and began to put pressure on the Philadelphia School Board. After the lawsuit was filed in late 1974, Judy was permitted to take the above-mentioned secondary English teacher examination. It is interesting to note that these tests are scored by giving extra points to teachers who have done their student teaching in the Philadelphia Public Schools, an opportunity which was denied to Judy. Despite this imposed handicap, she did very well on the written part of that examination. The statements of those who had conducted the oral examination were proven in court to be discriminatory and filled with biases and assumptions concerning the capabilities of the blind.

In addition to the forced concession about the examination, the school district began to produce some job offers for Judy. Magnanimously they offered her jobs that other teachers had refused. Indeed, one offer was for her to teach in a correctional school about which a woman in the personnel department commented, "I wouldn't want my daughter to work there."

While planning for the hearing, Jon requested Liberty's assistance, a request we carried to our National Federation. The Teachers Division was most helpful in finding us a blind teacher to give testimony at the hearing, and our NFB picked up various costs including transportation of witnesses and several hundred dollars toward obtaining depositions.

Finally, the hearing was scheduled for July 1975. The witnesses for Judy were strong and left no doubt that a blind person could do the job. Al Harris, a Federationist and a blind school teacher from Michigan, described various ways in which he did his job, and being more than equal to the cross examination of the school board attorneys, left no doubt that a blind person can be a competent teacher. Dr. Edward Huntington, whose doctoral study is entitled "Administrative Considerations in the Employment of Blind Teachers," and who has worked as an administrator in a New York State school district, added his expert opinion that blind teachers can teach sighted students as well as any sighted teacher. Judy reviewed the history of discrimination to which she had been subjected by the Philadelphia School District and explained how she had handled various situations as a student teacher. Yours truly, Ted Young, was pleased to present testimony concerning overall discrimination against the blind, our past attempts to educate the Philadelphia School Board, and the findings of Liberty's study in 1972.

It was fascinating to watch Jon Stein tear down the arguments advanced by the school district. The first argument was that blind teachers have been hired by, and are currently working in, the Philadelphia Public School System, an argument quickly put to rest by forcing the admission that these blind teachers were only hired to work with blind students. Next, as you may have already guessed, came the claim that Judy had been offered several jobs. Jon skillfully brought out the fact that these were the jobs at the bottom of the pile declined by teachers with seniority and that if Judy had been given a job when she first applied, she too would have had the seniority to refuse such offers. Finally, of course, there were

the usual "we are not discriminating, we don't believe that the blind can handle this job" and "these jobs can be dangerous and we are considering the applicant's welfare" arguments. To these arguments, which had in large part been defeated by the testimony of our witnesses, Jon applied his special humiliation of the school district witnesses with his smooth, sometimes tongue-in-cheek cross examinations.

After six months Judge Clarence Newcomer has released his decision, which was well worth the waiting. In short, the decision states that the school district must give Judy seniority back to 1970, and offer her jobs which she can accept or reject in accordance with such seniority. The judge has not yet decided the question of back pay for Judy, nor the class-action nature of our suit. However, and this is extremely important, the judge made his decision based on the national Rehabilitation Act of 1973, and the Fourteenth Amendment to the Federal Constitution.

As Federationists who have either attended our national Conventions or read of them in the *Monitor*, we know of the strength and impact of our input in molding the Rehabilitation Act of 1973, and its 1974 amendments. Dr. Andrew S. Adams, Commissioner of the Rehabilitation Services Administration, and a good friend to the Federation, has openly proclaimed the importance of this input and has appointed our President, Dr. Jernigan, as a personal consultant. This is the first time that the courts of our country have used this act as a basis for deciding a case of discrimination against the blind and physically handicapped.

Further, although we of the Federation have helped other blind teachers to win

their cases, the courts have stopped short of using the Fourteenth Amendment to the Federal Constitution as a basis for past decisions. Judge Clarence Newcomer, in a Federal Court, has ruled that the blind are entitled to the due process protections of this amendment. In other words, we may not be judged as incapable of being teachers on the basis of preconceived stereotypes about our blindness, and we must be considered individually in accordance with our capabilities. Having broken the ice in the Federal Courts on these two important grounds, Federal precedent is established for blind people who are seeking opportunities in other areas of employment.

Having won this much, we intend to see that the Philadelphia Public School District follows through on its obligation to hire blind teachers.

We of the Liberty Alliance of the Blind are proud to be on the barricades in the National Federation of the Blind. As Federationists we can all be proud of this victory which could not have occurred without the collective resources of our organization, our precedent-setting past victories throughout the land, our input into the national Rehabilitation Act of 1973, and our constant willingness to fight for the rights of the blind anywhere and at any time.

I think the best summation and closing to this article can best be found in a quote from Dr. Jernigan's banquet address to the 1975 Convention of the National Federation of the Blind: "What irrefutable proof of the absolute necessity of the National Federation of the Blind! Yet, they tell us that there is no discrimination—that we are not a minority. But we know who we are, and we will never go back." □

THE CHICAGO LIGHTHOUSE FOR THE BLIND AND  
THE NATIONAL LABOR RELATIONS BOARD

BY  
JAMES OMVIG

Exciting things have happened in the area of sheltered shop employment for the blind since our 1975 Chicago meeting. As those who attended the Sheltered Shop Employees Division session will recall, Mr. Edward A. Disch, representative for the Communications Workers of America (CWA) gave an informative and forceful presentation on the merits of unionism. Mr. Disch also made a pledge that the CWA would be willing and eager to work with us in solving the many problems which are faced by sheltered shop employees by helping us to organize in sheltered shops. He said that he would be willing to engage in this activity in his area, Illinois, and that he was certain that the national office of the CWA would work with us throughout the country.

Mr. Disch's offer of assistance was accepted immediately. Through the efforts of Mr. Rami Rabby and Mr. Richard Mohill, an employee of the Chicago Lighthouse for the Blind, contacts were made with Lighthouse employees and within a very short time approximately eighty-five percent of the Chicago Lighthouse employees had signed cards authorizing CWA to represent them for purposes of collective bargaining.

Under date of August 13, 1975, Mr. Disch wrote the following letter to Mr. Milton Samuelson, Executive Director of the Lighthouse:

DEAR MR. SAMUELSON: A majority of workers with the Chicago Lighthouse for

the Blind have designated the Communications Workers of America as their representative for the purpose of collective bargaining.

We, therefore, request recognition of the Communications Workers of America as exclusive bargaining agent for these workers.

We recommend that a meeting be held at the 1717 West Seventy-fourth Street work location for the purpose of bargaining an agreement for recognition and the wages, hours, and working conditions of these employees.

We would appreciate a reply by Monday, August 25, 1975.

Very truly yours,

EDWARD A. DISCH,  
*CWA Representative.*

---

Under date of August 22, 1975, Mr. Silber, president of the board of directors, replied to Mr. Disch. As you read Mr. Silber's letter, note the tone and implication of the final paragraph. In essence, this paragraph says, "We are the custodians of our employees and we know what is best for them. We don't need any outsiders interfering."

Mr. Silber's entire letter is as follows:

DEAR MR. DISCH: With regard to your letter of August 13, 1975, the Lighthouse

Board of Directors has determined to deny your request to be recognized as exclusive bargaining agent for their employees. The board does not believe that the CWA represents a majority of their employees and does not believe that there is any obligation to recognize the CWA as representative of its employees. You may, of course, file a petition for election with the NLRB, but the board does not believe they will, or should, assert jurisdiction. See *The Lighthouse for the Blind*, 1962 CCH NLRB ¶ 11,725 (1962).

We appreciate your concern for our employees. However, we believe it is in the best interests of our employees to deal with them directly and not through a third party.

Very truly yours,

EDWARD S. SILBER,  
*President of the Board of Directors.*

---

After having received this letter, Mr. Disch filed a petition with the Chicago Regional Office of the National Labor Relations Board (NLRB) requesting that the NLRB conduct an election among the Lighthouse employees. On November 7 and 13 a hearing was held before a hearing officer of the NLRB. I attended that hearing as a representative of the CWA. On December 15 the NLRB Regional Director declined to take jurisdiction over the case. Thereafter, I appealed to the Central Office of the NLRB in Washington, D.C. Our brief is reprinted in full later in this article.

Most of the relevant facts which depict the intolerable conditions under which the

Lighthouse employees are working are contained in the brief. However, one fact which does not appear in the brief should be exposed for all to read. Seventy to eighty percent of all workshop contracts are with the Skillcraft Corporation. Skillcraft has no assembly and packaging employees of its own. All assembly and packaging is done by "clients" of the Lighthouse in Skillcraft's own building. As you will see in the brief, none of the individuals is paid the existing Federal minimum wage, and there are no fringe benefits whatsoever. Therefore, in truth and in fact these "clients" are employees of Skillcraft and can be regarded as little more than slaves. We would anticipate remedying this situation once the final NLRB jurisdictional issue has been resolved.

As is evident from this article, the National Federation of the Blind is proceeding full speed ahead to improve conditions for sheltered shop employees, as well as for all blind Americans. *And what can be said of NAC?* So far as NAC is concerned, it is business as usual: conditions in the workshop meet NAC's standards; the Chicago Lighthouse for the Blind enjoys the prestige (if that is the proper term) of NAC's blessing and accreditation. *And what of the American Council of the Blind?* It, too, seems perfectly satisfied with the behavior and activities of the Lighthouse. It has done nothing to promote change. For this organization, too, it would appear that business is as usual.

As you read the brief which follows, study the facts carefully. Then ask yourself, "Why the National Federation of the Blind?"

---

*In the Matter of:*

THE CHICAGO LIGHTHOUSE  
FOR THE BLIND, *Employer*  
and  
COMMUNICATIONS WORKERS OF AMERICA  
AFL-CIO, LOCAL 5050, *Petitioner*

CASE NO. 13-RC-13860

Pursuant to Section 102.67(g) of the Board's *Rules and Regulations and Statements of Procedure, Series 8, As Amended*, the petitioner, Communications Workers of America, AFL-CIO, Local 5050, herein submits its brief in the above-entitled matter.

(In the pages which follow, references to page and line will refer to the official transcript of the formal hearing which was held in the above-entitled matter.)

#### Facts

Pursuant to Section 9(c) of the National Labor Relations Act (hereinafter referred to as the Act), a petition was filed requesting a unit of "all production and maintenance employees and clients of the employer's workshops located at 1850 West Roosevelt Road and 1717 West Seventy-fourth Street, Chicago, Illinois, and excluding all other supportive staff employees, guards, and supervisors as defined in the Act" (as amended in the formal hearing). On August 13, 1975, a request for recognition was made and, on or about August 22, 1975, this request was denied.

A formal hearing was held on November 7 and 13, 1975. On December 15, 1975, the Regional Director for Region 13 issued a decision and order in which the petition was dismissed since, "I find that it would not effectuate the policies of the Act to assert jurisdiction herein."

Thereafter, on December 22, 1975, petitioner filed a request for review with the Board on the following two grounds: (1) That a substantial question of law or policy is raised because of (a) the absence of, or (b) a departure from, officially reported Board precedent; and (2) That there are compelling reasons for reconsideration of an important Board rule or policy. On February 5, 1976, petitioner's request for review was granted in which the Board stated, "Petitioner's request for review of Regional Director's decision and order is hereby granted as it raises substantial issues warranting review."

The employer is a nonprofit, private organization which, in addition to operating a sheltered production workshop for the blind as its primary activity, offers the following social services: admissions and evaluation program, work adjustment and on-the-job training, a transcription and business typing program, medical transcription program, a vocational placement program, individual and family counseling, an orientation and mobility program, a recreation and leisure program, the Eleanor Palmer Development Center for the Blind, therapeutic activities program, a deaf-blind program, a youth services program, a blind information and referral line program, and a low-vision clinic (see page 11, lines 5-20).

So far as gross revenues are concerned, the record indicates that the employer's total income for the fiscal year immediately prior to the filing of the petition was \$1,601,733. Of this amount \$541,657 was derived directly from subcontracts (see page 131, lines 20-21). The remainder of the income was derived from Federal grants and State money through the State Department of Vocational Rehabilitation, Community Fund of Chicago, Department of



Mental Health, Department of Vocational Rehabilitation, Board of Education, Model Cities, fundraising projects, and an endowment fund from contributions of individuals, firms, societies, and foundations.

So far as subcontracting in the production workshop is concerned, about seventy to eighty percent of the volume of work done is for Skillcraft, Inc., an educational toy manufacturer, whose parent corporation is Western Publishing Company, an organization doing business in interstate commerce (see page 114, lines 4-22). In addition, the employer assembles components for Western Electric, another nationwide corporation; assembles plumbing supplies for Chicago Specialty Company; and packages incense sticks for Scentex; as well as performing jobs for other companies (see page 115, lines 4-23).

As discussed *infra*, the employer chooses to characterize most of its employees in its production shop as "clients." The record indicates that at the present time both locations employ approximately sixty full-time "clients" and that there are another forty-eight "clients" who are either in a part-time or laid-off status (see page 92, lines 3-11). The record further indicates that there are fifteen persons whom the employer characterizes as non-supervisory "employees" (see page 81, lines 11-25; pages 98-99, lines 23-5). Therefore, the record would indicate that there are in fact 123 "employees" involved in the employer's production workshop, whereas other phases of the employer's service programs are relatively small; for example, the employer's typing and orientation and mobility programs each had ten students involved at the time of the hearing (see page 42, lines 1-4).

Based upon *Sheltered Workshops of San Diego, Inc.*, 126 NLRB 961 (1960), the

employer contended that the Board should decline to exercise jurisdiction due to the fact that it is a not-for-profit organization, engaged in the operations of a sheltered workshop, the principal purpose of which is to rehabilitate visually handicapped persons and whose commercial activities represent only a means of achieving that end.

The petitioner contended that, based upon *Child and Family Services of Springfield, Inc.*, 220 NLRB No. 4 (1975), the Board has sufficiently changed its policy regarding jurisdiction over private, non-profit organizations, so that the Regional Director should have no difficulty in asserting jurisdiction over this employer. The petitioner requested that the Board find that the Chicago Lighthouse for the Blind is an employer within the meaning of Section 2(2) of the Act, and that the employer's employees are employees within the meaning of Section 2(3) of the Act; and that, accordingly, it will effectuate the purposes and policies of the Act to assert jurisdiction herein.

In dismissing the petition the Regional Director stated: "Based on the foregoing and the entire record, the undersigned finds that the employer's activities are intimately connected with educating, rehabilitating, and training blind persons to enhance their employment opportunities in the outside community. Consequently, as the Board found in *Sheltered Workshops of San Diego, Inc.*, 126 NLRB 961 (1960), the workshop's activities are non-commercial in the generally accepted sense. The workshop in *San Diego* provided a work experience under controlled conditions for people unemployed due to physical, mental, emotional, or social disabilities. Although some elements ordinarily existing in an employment relationship are found in a workshop situa-

tion, the workshop's emphasis is placed on training, counseling, and rehabilitation. Thus, the commercial activities of the Lighthouse must be viewed as a means to an end. The essential purpose of the workshop is to provide therapeutic assistance rather than employment."

In his decision the Regional Director neglected to mention *Child and Family Service of Springfield, Inc.*, *supra* (the case relied upon by petitioner), but rather erroneously stated: "Although the petitioner's brief relies on *Mexican American Unity Council*, 207 NLRB 800 (1973), that case is distinguishable from the instant situation because the employer in *M.A.U.C.* engaged in considerable commercial activity. Not only did it own real estate but *M.A.U.C.* also held a seventy-percent interest in a McDonald's franchise. These holdings had nothing to do with the rehabilitative nature of the agency, whereas the commercial activity engaged in by the Lighthouse is merely an adjunct to the primary purpose of the employer, which is to provide rehabilitative services to the blind."

### Arguments

The Regional Director has failed to conform to established Board policy by ignoring the Board's decision in *Child and Family Service of Springfield, Inc.*, *supra*.

(1) By way of a review of the history and evolution of Board precedent regarding jurisdiction over nonprofit organizations, we are aware that "Although the Act specifically excludes from the term 'employer' only one type of nonprofit organization, that of hospitals, the Board has used as a guide (until recently) in deciding whether to assert jurisdiction over other nonprofit organizations, the test of whether they

were engaged in activities which were 'commercial in the generally accepted sense'" (*Sheltered Workshops of San Diego, Inc.*, *supra*). Through the exercise of its discretion, in 1960 in a three-two split decision the Board declined to assert jurisdiction over a sheltered workshop for the blind in the case of *Sheltered Workshops of San Diego, Inc.*, *supra*. The majority found that "*Sheltered Workshops of San Diego, Inc.*, herein called the workshop, is a nonprofit California corporation, which is engaged in providing work experience under controlled conditions for persons unemployable elsewhere because of their physical, mental, emotional, or social disabilities" (*Sheltered Workshops of San Diego, Inc.*, *supra*). In that case the Board found it unnecessary to decide whether that workshop is an employer within the meaning of the Act. The majority discussed the following factors: "the criterion of unemployability which is used in selecting participants in its program, the amount of time spent in counseling for which the participants lose no pay, and the absence of compulsion or direction over the participants by creating an atmosphere in which they will voluntarily agree to perform whatever work is assigned to them as part of their rehabilitation program" (*Sheltered Workshops of San Diego, Inc.*, *supra*). The majority pointed out that in the five-year period prior to the filing of the petition the San Diego shop had derived gross revenues slightly in excess of one-half million dollars. The majority goes on to conclude that, "Since, as we find, the workshop's purposes are directed entirely toward rehabilitation of unemployable persons, its commercial activities should be viewed only as a means to that end. Based on these considerations, as well as the limited effect on commerce of labor disputes involving such rehabilitation centers, and the workshop's close affiliation with State agencies

and philanthropic organizations, we believe that it would not effectuate the policies of the Act to assert jurisdiction here. Accordingly, we shall dismiss the petition" (*Sheltered Workshops of San Diego, Inc.*, *supra*).

Citing cases, the majority indicated that, in the exercise of its discretion, the "test" to be applied as to whether the Board will assert jurisdiction over nonprofit organizations is whether they are "commercial in the generally accepted sense" (*Sheltered Workshops of San Diego, Inc.*, *supra*).

This "test" has continued to control Board action regarding jurisdiction over nonprofit organizations for many years. Fairly quickly, however, the Board determined that the private, nonprofit status of an organization is not controlling on the jurisdictional issue (*Maritime Advancement Programs*, 152 NLRB 348 (1965)). During this time the Board, in its discretion, continually broadened the categories of nonprofit organizations over which jurisdiction was taken so that more employees would be able to enjoy the right of collective bargaining with concomitant Board protection. We ask the Board to take judicial notice of the changes which occurred in the late 1960's and early 1970's.

In 1973 the Board was again faced with the question as to whether it should assert jurisdiction over a nonprofit sheltered workshop (*Epi-Hab Evansville, Inc.*, 205 NLRB 637). By this time, however, circumstances regarding jurisdiction over nonprofit employers had changed sufficiently so that the Regional Director was unwilling to decide the question but rather, pursuant to Section 102.67 of the Board's *Rules and Regulations and Statements of Procedure, Series 8, As Amended*, transferred this case to the Board for decision. The Board applied the

"commercial in the generally accepted sense" "test" (citing *San Diego*) and declined to assert jurisdiction.

Later in 1973 the Board again applied the same "test" but asserted jurisdiction over a nonprofit community development corporation whose "stated purpose is to improve economic and social conditions for Americans of Mexican descent in its 'impact area,' the west and southwest areas of San Antonio" (*Mexican American Unity Council, Inc.*, 207 NLRB 800). The Board concluded that, "Upon the entire record in this case, we are persuaded that the employer's nonprofit and profit-making programs are but the means adopted by it to achieve the primarily economic and commercial as well as social and medical purposes for which it was especially created" (*Mexican American Unity Council, Inc.*, *supra*).

On the "test" question, the Board stated, "Although the Act specifically excludes from the term 'employer' only one type of nonprofit organization, that of hospitals, the Board has used as a guide, in determining whether to assert jurisdiction over other nonprofit organizations, the test of whether they are engaged in activities which are 'commercial in the generally accepted sense.' Accordingly, we shall apply that test herein" (*Mexican American Unity Council, Inc.*, *supra*).

Later, in *Ming Quong Children's Center*, 210 NLRB 125, 86 LRRM 1254 (1974), and in *Crotched Mountain Foundation*, 212 NLRB 58, 86 LRRM 1529 (1974), the Board again had to face the question as to what jurisdictional test should be applied. In split decisions the majority again applied the "commercial in the generally accepted sense" "test" (*Sheltered Workshops of San Diego, Inc.*, *supra*), discussed the fact that



the commercial activities were ancillary to the employer's reasons for being, and that the employer's commercial activities must be "not only substantial, but massive" (*Ming Quong Children's Center, supra*) if the Board is to assert jurisdiction. (We respectfully request that the Board take judicial notice of Member Fanning's dissenting opinions in the *Ming Quong Children's Center, supra*, and *Crotched Mountain Foundation, supra*, cases.)

In 1975 the Board made a dramatic change in the kind of private nonprofit employer over which it would now assert jurisdiction, and the "test" to be applied when it took jurisdiction over a private, nonprofit employer which is not "commercial in the generally accepted sense" (*Sheltered Workshops of San Diego, Inc., supra*) but rather is purely a social service organization (*Child and Family Service of Springfield, Inc., supra*). Again, because of the changing times and the seriousness of the jurisdictional question involved, the Regional Director declined to render an opinion but rather transferred the case to the Board pursuant to Section 102.67 of the Board's *Rules and Regulations and Statements of Procedure, Series 8, As Amended*. This revolutionary action was taken with no mention whatever of the previously relied-upon "test" for nonprofit employers.

The Board describes the employer's activities as follows: "The employer is a private nonprofit Massachusetts corporation, engaged primarily in providing social services, including family, marriage, individual, and personal counseling, foster family care, adoptions, homemaker services, family life education, and outreach services to various parts of the community" (*Child and Family Service of Springfield, Inc., supra*).

The Board points out that the employer's total operating budget for fiscal 1974 was between \$415,000 and \$420,000. Over one-half of this amount came from the Federal Government. Over one-third was from endowment income. Fifteen percent was received from the United Way. Ten percent was derived from fees and services. The employer had expenditures in interstate commerce of roughly \$23,000.

The Board concludes that, "Based on the above facts, we find that the impact of the employer's operations on commerce is sufficient to warrant assertion of jurisdiction herein and it will effectuate the purposes of the Act to do so" (*Child and Family Service of Springfield, Inc., supra*).

We believe that, based upon *Child and Family Service of Springfield, Inc., supra*, the Board should have no difficulty in asserting jurisdiction in the instant case. We contend that the Regional Director erred by not following established Board policy and precedent. Although the record in the instant case clearly indicates that the employer is engaged in commercial activities, the record also indicates that at least a part of the employer's activities are social service activities in nature. While the *Child and Family Service of Springfield, Inc., supra*, indicates that the employer derived gross revenues for the previous fiscal year in the amount of \$420,000, the employer in the instant case derived gross revenues for fiscal 1975 in excess of one and one-half million dollars. The employer in the instant case derived a substantial portion of its income from its sheltered workshop activities. Further, it derived much of its income from the Federal Government, from its endowment fund, United Way, and from fees and services.

As the record will indicate, neither the petitioner nor the hearing officer was able to elicit information from the employer as to specific amounts expended in interstate commerce. We contend, however, that based upon *Child and Family Service of Springfield, Inc.*, *supra*, the Board should assert jurisdiction herein.

Further, petitioner contends that the instant case is clearly distinguishable from *Sheltered Workshops of San Diego, Inc.*, *supra*. In the instant case the employer is a nonprofit private organization. The San Diego shop was state-owned. In *San Diego*, the employer's employees were unemployable elsewhere. In the instant case, the record shows that the employees *are* employable elsewhere (see pages 152-155, lines 23-13). In the San Diego case, employees could leave their posts for other services of the employer but would lose no pay. In the instant case, the record is clear that employees *do* lose pay if they attempt to avail themselves of other of the employer's services (see page 187, lines 11-17; page 201, lines 9-23). In the San Diego case, employee actions were not directed. In the instant case, the employees *must* follow directions and supervision (see page 184, lines 13-16). In the San Diego case, the employer had derived gross revenues in excess of one-half million dollars in the five-year period prior to the filing of the petition. In the instant case, the record indicates that the employer had derived gross revenues in excess of one and one-half million dollars for the one-year period immediately prior to the filing of the petition herein.

(2) Petitioner contends that there are compelling reasons for reconsideration of an important Board rule or policy.

Thousands of blind Americans currently find themselves employed in sheltered

workshops for the blind. Sometimes this employment is purely by choice. In other instances such employment is the only type of employment available to blind persons, since society's attitudes in general would suggest that blind persons per se are not employable in competitive employment, and since many rehabilitation agencies for the blind share these same views and thus do little or nothing to secure competitive employment for blind persons (see pages 152-157, lines 23-12).

Accordingly, the petitioner contends that since blind persons are employed for whatever reasons in sheltered workshops, these employees should enjoy the same rights, privileges, and Federal protection as other employees do.

The instant case provides a typical example of the exploitation of employees which is occurring in sheltered employment throughout the country. As the record indicates, the employer chooses to characterize most of its employees as "clients." Mr. Hlad, the employer's workshop director, indicates that there are fifteen non-supervisory employees, sixty full-time "clients," and another forty-eight "clients" who would be either part-time, laid-off, or on leaves of absence.

We respectfully request that the Board closely examine the facts as established in the record rather than rely upon the nomenclature used by the employer in making a determination as to whether or not those persons characterized by the employer as "clients" are in fact "employees" within the meaning of the Act. There is no dispute in the record as to the following factors: the "clients" (employees) are paid on an hourly basis; piece rates have been established for their jobs (see page 112, lines 6-17); the work which they perform is on

items which eventually find their way into interstate commerce as salable commodities—they are not merely practicing on use-less items which will be discarded (see page 41, lines 17-25); they punch a time clock (see page 175, lines 15-21); they are not paid if they do not work (see page 112, lines 18-20); they lose their pay if they avail themselves of other of the employer's services (such as preparation for the GED) during regular working hours (see page 187, lines 11-17; page 201, lines 9-23); they work eight-hour days (see page 112, lines 21-23); they are directed by supervisors (see page 113, lines 1-12); and payroll deductions are withheld for Social Security, Federal and State income tax (see page 113, lines 13-16). They are laid off when there is a lack of work. Based on these considerations we contend and respectfully urge the Board to conclude that these "clients" are in fact employees of the employer.

It might be noted that it was the employer's contention that these individuals *had* to be called "clients" rather than employees so that the employer could secure a sheltered workshop certificate from the Federal Government which permits the employer to pay its employees at a rate which is less than the existing Federal minimum wage for competitive employment. The employer is in error in this attitude. Sections 6, 13, and 14 of the Fair Labor Standards Act of 1938, As Amended, 29 USC 201), make it abundantly clear that an employer-employee relationship exists except where a "work activity center" is involved. Further, it should also be noted that this exempt status is permissive, not mandatory. The employer is under no legal compulsion to secure a certificate which will permit it to pay its employees less than the existing Federal minimum wage.

The employer also contends that those whom it would characterize as employees and those whom it would characterize as "clients" never work together. The record indicates that this contention is in error (see page 172, lines 2-18; pages 181-182, lines 1-10; page 194, lines 7-24; page 197, lines 11-22).

The employer distinguishes a client from an employee because it claims a client is involved in a training situation and is in the process of obtaining vocational rehabilitation. Furthermore, a client is involved in direct labor operation while an employee is involved in service-type work and is not engaged in the direct labor operations of the subcontractor's work. The distinction here seems particularly difficult to understand. All that is really being discussed are different job classifications. Persons classified as being involved in "direct labor operation" are called "clients." All this means is that they do packaging and assembly work. Persons characterized as employees are involved in "service-type work." All this means is that they are janitors, stock clerks, order pickers, et cetera (see page 82, lines 14-21; page 181-182, lines 1-10; page 194, lines 7-24).

In truth and in fact, the record would indicate that the real distinction is not in what kinds of jobs are performed by the members of the two classes, but rather is to be found in the employment benefits which accrue to the members of the two groups. Those characterized as employees receive paid vacations, sick leave, paid holidays, personal leave days, hospitalization insurance, life insurance, pension benefits, workmen's compensation benefits, and unemployment insurance; those characterized as "clients" do not (see pages 82-83, lines 22-6; pages 104-105, lines 24-16; page 175,

lines 3-25; page 176, lines 12-14; page 194, lines 7-24).

In all other respects employees and "clients" receive equal treatment. They are supervised, punch a time clock, work eight-hour days, and observe all of the employer's policies. For instance, the employer has a policy that if an individual is sick for more than two days he must produce a verifying doctor's statement upon his return to work. Astounding as it may be, the employee who is characterized as a "client" must follow this policy even though he receives no pay for his time off from work. This policy seems particularly offensive since, as the record indicates, the "client" is not paid for sick days but must spend his own money in order to secure the verifying doctor's statement which will enable him to return to work (see page 98, lines 16-19; page 180, lines 7-13; pages 198-199, lines 5-1; page 200, lines 10-25). This policy becomes even more objectionable when it is remembered that, while the employee who is characterized as an "employee" is paid at least the existing Federal minimum wage, the "employee" who is characterized as a "client" receives a base pay of \$1.85 per hour, and in some instances where special certificates of exemption have been secured, is paid at a rate even less than \$1.85 per hour.

It must be further emphasized that even though the employer contends that the workshop's purposes are purely rehabilitative in nature, the record indicates that permanent "clients" have requested full-time, permanent employment in the shop and that, in fact, many "clients" of the employer have been "employees" of the employer for as many as ten or fifteen years (see pages 148-149, lines 24-7). The fact that a small number of employees ultimately find other permanent employment

elsewhere seems singularly irrelevant. Regardless of whether persons are employed in sheltered shops or in competitive employment, it is always to be anticipated that a certain number of employees will leave to find employment elsewhere.

### Conclusion

Referring to Argument 1, *supra*, we respectfully suggest that the Regional Director did not follow established Board policy regarding jurisdiction over private, non-profit organizations, when he neglected to consider the jurisdictional issue in light of *Child and Family Service of Springfield, Inc., supra*. In the instant case, the employer derived gross revenues roughly four times greater than those which satisfied the Board's jurisdictional requirement in *Child and Family Service of Springfield, Inc., supra*. Again, in that case, the Board stated, "Based on the above facts, we find that the impact of the employer's operations on commerce is sufficient to warrant assertion herein and it will effectuate the purposes of the Act to do so." Applying this test, we respectfully submit that the Board should have no difficulty in asserting jurisdiction herein.

Further, in *Child and Family Service of Springfield, Inc., supra*, the employer was not engaged in commerce in any generally accepted sense. In the instant case, the employer is substantially engaged in interstate commerce as evidenced by its contracts with the Skillcraft corporation and with Western Electric, et cetera. These are major, national organizations and it is clear that labor disputes involving their activities would have a substantial impact upon interstate commerce.

Regarding the reasons why the Board should reconsider directly changing an

established policy (*Sheltered Workshops of San Diego, Inc.*, *supra*), the petitioner contends as discussed *supra* that the Board has changed the policy established in the San Diego case by reason of its decision in *Child and Family Service of Springfield, Inc.*, *supra*. If, however, the Board should conclude that this is not so, then petitioner respectfully contends that the San Diego case be specifically overruled.

We contend that in addition to the protection of the rights of employees to organize, a fundamental purpose of the Act is to encourage collective bargaining. We believe that, even though the employer in this case is engaged in activities which benefit the community, the rights of employees to organize must be protected. We reject the concept that an employer which is engaged in a socially beneficial activity therefore owes its employees less than other employers do. In this connection, we respectfully

urge the Board to take judicial notice of the opinion of the two dissenting members in *Sheltered Workshops of San Diego, Inc.*, *supra*.

For all of the above reasons, we respectfully request that the Board reverse the decision and order of the Regional Director and assert jurisdiction herein, and that an election be ordered in the above-entitled matter.

Respectfully submitted,

JAMES OMVIG,  
*On behalf of the petitioner.*

*Dated: February 13, 1976.*

\_\_\_\_\_  
At the time of this writing we await the NLRB's decision. □



## THE CANINE SIDE OF THE CONVENTION

BY

ROBERT ESCHBACH

The following are some thoughts I have about the philosophy and application of use of dog guides. I believe this material can be helpful to other dog guide users and to blind persons in general. Hopefully it will bring some perspective to what happens to a dog guide when it becomes involved in the complexities of the National Federation of the Blind Convention.

Security, Equality, and Opportunity are by-words of the NFB. Dog guides, as well as white canes, speak to the truth of the motto and are an integral part of the organized movement of the blind to achieve these goals.

It has been instilled in me that the dog guide can be an important asset to the blind person. It can be, that is, if the relationship between master and dog is clearly understood and kept uppermost in all situations. My understanding of the relationship is this: We—the dog and I—form a business partnership. His job is to lead me safely and quickly through numerous situations which could be difficult, and thus give me increased mobility and freedom to be independent. My job is to care for him in a regular manner (feeding, grooming, consistent commands, routinely giving him opportunity to relieve himself, et cetera). If we both do our job according to the arrangement, we will achieve the desired goal for which he has been trained and which I seek. I place in him my trust and affection and he responds with obedience and loyalty. In addition, the maintenance of the partnership depends on a consistent discipline we expect

of each other. When this does not happen, the relationship is jeopardized, and the value of the dog as an asset is diminished greatly.

NFB Conventions present a real challenge to both master and dog. If the partnership is kept uppermost in the minds of both on a routine basis in everyday living, the challenge is one that can be handled easily and with great dignity. If, on the other hand, master and dog tend to sluff off the responsibilities of the relationship as a matter of course, the Convention can be a trial and burden not only to them but to people around them.

Consider the following: In normal situations when a dog guide approaches a crowd of people, he is used to them noticing him and, therefore, making way for him and his master so that there is little difficulty in getting through. What consternation he must be experiencing when he approaches a crowd of two thousand blind people who pay absolutely no attention to him, and in addition, are carrying around these long white sticks which must constantly be dodged.

Living in a strange room, drinking water that is different from what he is used to, having to stay quiet during long hours in a Convention room, being obliged to move about with his master through all hours of the day and night and seeing many other dogs whom he has never known before—all of these things can add up to a very confusing situation. It is times like this that the dog needs to be able to count on his master

for appropriate commands and considerable attention.

Having attended a number of Conventions over the years, I share with you some tips on how to help the dog guide make it through a Convention with the least amount of difficulty.

(1) In feeding your dog, if you plan to take convenient packaged food which is different from his normal diet at home, start feeding him this new food at least one week before leaving home. You can determine how well he likes the food and is able to handle it without getting upset. Check for gasiness.

(2) Remember that your dog's stomach may be sensitive to a change in water. It is not advisable to allow your dog to drink as much as he wishes in a confusing, excited situation such as the Convention. This is true even when we are at the Convention during the month of July.

(3) Dogs—like people—can become ill. Dogs may indeed get diarrhea or vomit due to the tensions surrounding him or the change in routine. If this happens, call the hotel management immediately for assistance and let them clean up the disturbance. Don't attempt to clean it up yourself and not report the incident.

(4) There is nothing routine about a Convention, and you may enjoy late evening parties which are quite different from your usual pattern at home. It is important to take the dog for relief on a reasonably regular basis regardless of the temptation to join others in their activities. You can always come back to the party, and though you may have missed some of the action,

you can prevent your dog's soiling through no fault of his.

(5) When seated in the Convention or in a restaurant, keep your dog under control. The dog should lie as close to you and under your seat as possible. *Never* allow the dog to lie in aisles or other areas where people must walk.

(6) Always know what your dog is doing. Your dog should not be allowed to stand and wander at the end of the leash.

(7) When talking to somebody in a hallway or on the street where others are going by, keep your dog at "sit" position. If you allow him to stand he will wander and sniff passersby and be out of position. If you make him lie down, people may have to step over him.

(8) Conventions are an exciting time for everyone—including the dogs. It seems perfectly appropriate that the dog might bark during a round of applause, but it is extremely inappropriate if the dog whines when he should be quiet.

(9) Just as people enjoy meeting other people, the dogs certainly would like to make the acquaintance of their canine friends who are in attendance. If your dog tends to be protective or growls at other dogs, he should be immediately corrected.

(10) Many people will attempt to give your dog a pat. That is to be expected. Don't let other people continue to fondle your dog and be affectionate to him beyond a friendly greeting. The best protection against your dog misbehaving because other persons are paying too much attention is your consistent attention and affection to the animal.

---

Over the past several years I have been aware of a number of complaints about dog guides and their masters at Conventions. Many of these complaints are valid. Let me make the following suggestions to you if you observe a dog guide and his master not behaving in what you think is an appropriate manner:

(1) Tell the person his dog is not behaving or is making a nuisance of himself with you. That allows the master to take corrective action if necessary.

(2) Do not pay too much attention to the dog guides. They have a job to do and your attention can only distract them. If you really think you would like to pet the dog, ask his master if it is all right.

(3) If you are reluctant to speak directly to the person about a problem, bring your concern to Pat Comorato, chairman of the

Dog Guide Committee, or to me, and we can assist in resolving the difficulty.

To the dog guide user who works consistently well with his animal, many of the tips mentioned above will be easily followed. On the other hand, if you think of your dog as a pet or a companion first and a business partner second, you may have trouble managing the dog effectively in the strange environs of a Convention. If you suspect that you will not be able to manage your dog effectively, then I suggest you make arrangements to leave your dog at home. You will be happier and I can assure you the dog will be happier.

Here's looking forward to the best Convention ever—not only for the NFB, but also the dog guides who accompany their masters through the welter of confusion, hard work, and pleasure. □



## REPORT OF COMMITTEE ON PARENTS AND ADOPTION

BY

SUSAN FORD

The NFB's Committee on Parents and Adoption (COPA) was organized at last summer's NFB Convention. We were established to work on problems of parents and those of adoption. Most of us are aware that a number of blind couples have been rejected as adoptive parents. This is one of our projects. Many people are also aware that foster care has been another field which often has been closed to blind couples, even though in every other respect they are just as qualified as their sighted neighbors. So, problem two for the committee. We also know that there are times when blind couples having natural children are made uncomfortable or actually feel threatened by well-meaning people who feel sure that this couple, because of their blindness, cannot possibly be giving their children the kind of care and attention that they require. This is another potential area in which we may expend effort.

We are, at the moment, a nine-member committee with Susan Ford, 1123 Rollins, Apartment 6, Missoula, Montana 59801, as chairman; and Orlo Nichols, 2024-B Sum-

mit Avenue, Baltimore, Maryland 21207, as vice-chairman. Since last summer we have been trying to collect materials to include in a file about parents who are blind and about the experiences of blind adoptive parents. We will be distributing some of this literature at a conference of the Child Welfare League in Baltimore at the end of April. It seems to us that getting this kind of information out to social workers who may have to face the problem would provide education for them and a chance at the beginning to alleviate the automatic rejection of blind persons as adoptive parents.

A meeting of COPA will be held on Sunday, July 4, at the NFB Convention this summer. Details of the meeting will be found in your Convention agenda. Not only are COPA members invited to attend, but anyone else with information, interest, or ideas will be welcome. Since we are a new committee, we will be planning our work for the future and we are sure that there are many others who would want to be in on this groundwork. □

## STATE DEPARTMENT DISCRIMINATION AGAINST THE BLIND AIRED IN SENATE COMMITTEE

*Editor's Note.—The following testimony was presented on behalf of the National Federation of the Blind before the Committee on Foreign Relations, United States Senate, on March 4, 1976.*

Mr. Chairman, members of the Senate Foreign Relations Committee, my name is James Gashel, and I am representing the National Federation of the Blind. The National Federation of the Blind is a nationwide organization of over fifty thousand blind men and women who are dedicated to the achievement of greater opportunity and equality for the blind of the United States. By means of legislation, public education, and our own self-improvement, we have, since our founding in 1940, worked to demonstrate that, when afforded the opportunity and provided the proper training, blind Americans can and do lead independent, productive lives, and are, therefore, deserving of equal treatment throughout our economic and social system. It is with this purpose in mind that we come before you today.

The issue we wish to raise is not likely to effect the balance of power in the world; nor will it disturb the global structure of international relations. However, it *does* involve what we believe to be a serious violation of fundamental human and civil rights by the Department of State, and as such, it should be of vital concern to this committee.

As you know, the National Federation of the Blind has, for almost a year now, pressed for the elimination by the State

Department of its exclusionary medical hiring standards which automatically reject from consideration any blind candidate for employment in Foreign Service officer positions which are subject to what the Department of State terms the principle of worldwide availability. You will remember that, initially, officials of the Department refused to meet with representatives of the National Federation of the Blind, and their standard response to our persistent overtures was to mail us copies of their medical hiring standards and indicate specifically which paragraph and section listed blindness as grounds for disqualification from employment in Foreign Service officer positions. It was only when you, Mr. Chairman, and the many other members of this committee, demonstrated a genuine interest in this issue that officials of the Department of State recognized their discrimination against blind applicants for employment as a subject worthy of discussion.

The fact is, however, that many months now have passed, and today, as it did a year ago, the Department of State still persists in barring employment to blind candidates for overseas positions that are subject to worldwide availability; today, as it was a year ago, the principle of equal protection, embodied in the United States Constitution, is flouted by the State Department in its application to blind persons. We would, therefore, urge you strongly to insert, in the bill authorizing funding for the State Department, a provision which would prohibit discrimination by the Department of State against blind candidates for any position within the Department, whether it is

Washington-based or located abroad, whether it is subject to the principle of worldwide availability or otherwise.

Mr. Chairman, members of the committee, in our view, the difference between the National Federation of the Blind and the Department of State is a difference of perception, a difference in attitude regarding the nature of blindness and the capabilities and potentialities of blind persons. In the eyes of the Department of State, blindness is a medical phenomenon, a form of sickness, a condition which deviates from the norm of sight, and therefore damages the capacity of the sighted Foreign Service officer to deal effectively with his or her environment. To the National Federation of the Blind, on the other hand, the principal problem facing blind persons is not so much the physical loss of sight but rather the outdated social attitudes and traditional misconceptions about blindness which are generally held by society, and which perceive blindness as an all-embracing disability and all blind persons as thereby incompetent in the face of adverse conditions, helpless when confronted with changing environment, and totally unadaptive to new cultures and foreign lifestyles. On the part of the Department of State, there is no attempt to distinguish between the talents, skills, and abilities of one blind person and those of another. To the Department of State, all blind persons (be they geniuses or morons, be they businessmen or beggars) are ineligible for employment in Foreign Service officer positions that are subject to worldwide availability. The determining criterion is blindness, and blindness, in and of itself (it has been assumed) damns us all and renders us all incompetent to serve.

Time and time again, the Department of State, in its attempts to defend its position, has raised the specter of danger to the blind

Foreign Service officer, of lack of safety in the midst of volatile political environments, terrorist activities, and the like. The fact is, however, that as I stand before you today, millions of blind persons are going about their daily business in every country where the United States has an embassy or a consulate. Blind persons are leading independent, productive lives not only in Washington, London, and Paris, but also in Moscow, Tel Aviv, Beirut, Caracas, Luanda, and Saigon. To them, worldwide availability poses no special problem; Mr. Chairman, members of the committee, worldwide availability poses no special problem to us either. The issue raised by the Department of State is no different from the issue raised by the Cook County (Illinois) Civil Service Commission just five years ago when a qualified blind social worker was refused a position as a caseworker for the Cook County Department of Public Aid because, so the Department said, it feared for his life as he made his way through the ghetto of Chicago's South Side. Yet today literally dozens of blind social workers are functioning effectively not only on Chicago's South Side but also in Watts, Roxbury, Harlem, and Washington, D.C. Today the scene may have shifted from the public aid office on Chicago's South Side to a United State Consulate in Buenos Aires; yet the issue is the same; let us respond to this issue in 1976 as the Cook County Civil Service Commission was persuaded to do in 1971, and open up the Foreign Service to the blind of America. In so doing, we wish to emphasize that the National Federation of the Blind believes wholeheartedly in the principle of worldwide availability. We believe the Department of State should retain this principle, and should in no way tamper with it or waive it in order to accommodate blind applicants for Foreign Service officer positions. It is our unshakeable conviction that

qualified blind candidates should be treated as any other qualified sighted candidates, and that they, like their sighted counterparts, are capable of functioning within the principle of worldwide availability. Over the years, some may no doubt fail, as have some sighted Foreign Service officers; but most will succeed and go on to effectively represent and protect the interests of the United States throughout the world.

Mr. Chairman, members of the committee, equality which is circumscribed by

geographical boundaries is no equality at all. The principle of equal protection is indivisible, and should be uniformly applied, not only on the continent of the United States but wherever the American flag is seen throughout the world. We strongly urge you to incorporate within the State Department's funding authorization bill a provision prohibiting discrimination against blind candidates for employment in Foreign Service officer positions that are subject to worldwide availability. Thank you. □

### CONNECTICUT BLIND SEEK RIGHT TO TEACH: HUMAN RIGHTS VERSUS THE OAK HILL SCHOOL

BY

JONATHAN MAY

[Reprinted from the February 1976 issue of the *Connecticut Blind Federationist*, publication of the NFB of Connecticut.]

The Connecticut Human Rights and Opportunities Commission has brought legal action against the Oak Hill School for the Blind on behalf of Mrs. Ellen Schuman, a visually handicapped teacher who filed a complaint with the Commission in 1974, charging the school refused to consider her for a teacher's aide position in the deaf-blind unit of the lower school solely on the grounds of her visual handicap.

Miss Ellen Steinberg, now Mrs. Schuman, worked as a teacher's aide in the upper school of Oak Hill from February to June 1974 when this position was terminated. She applied for either of two teacher's aide positions in the deaf-blind unit of the lower school, but was not accepted because the school claimed that teaching deaf-blind retarded youngsters required 20/20, or normal, vision. After negotiating with the

school for over a year on Mrs. Schuman's behalf, the Commission presented its case to a hearing examiner in five hearings over the past three months. NFB of Connecticut representatives have attended all these hearings in support of Mrs. Schuman.

Assistant State Attorney General Charles Overend, acting for the Commission, presented testimony supporting Mrs. Schuman's claim. Among witnesses supporting her case were a former employer—Mr. Paul Early, rehabilitation counselor and former Oak Hill graduate; Barbara Lewis, a blind teacher successfully managing public school classes; and Mrs. Eileen Ackers, another graduate of Oak Hill, a Director of the Board of Education and Services for the Blind, and also a blind teacher in a public school. Another witness dealing with the deaf-blind directly was Mr. Louis Betiger,

Assistant Director of the National Center for the Deaf-Blind, in New York.

Miss Josephine Pace, principal of the lower school, testified that having a visually handicapped aide working with severely retarded deaf-blind children would be "foolish." Miss Pace is a graduate of the Oak Hill School. Dr. Marcia Knight, psychologist, and Mr. Joseph Kascus, personnel director of the school, reiterated that perfect sight was necessary because of safety and the need to respond to the behavior of these special children. This testimony of the case for the school was presented by Attorney Brian Clemow.

The NFB National Office assisted in the case by presenting as a witness a blind teacher, Mrs. Connie Miller, from Glenwood, Iowa. She is a certified blind teacher and foster-parent of deaf-blind and severely retarded children who demonstrated through her career of twenty years that sight was not a bona fide occupational qualification for instruction of deaf-blind children.

This case has great importance to the blind of Connecticut as it is the first test of discrimination in employment of the blind or visually handicapped with respect to the "fair employment" section of P.L. 73-279, which the NFB of Connecticut was instrumental in getting passed in 1973.

What is most sad, in this case, is that Oak Hill School, the very institution created to set an example of encouragement for growing blind youngsters, has failed so miserably in its mission. It is sad that an institution created to teach the skills of confidence needed for an independent future should have such a lack of belief in the intelligence and normality of the adult blind. Lack of full vision does not mean lack of ability or responsibility. Let the school practice what it is supposed to teach.

A final judgment by the hearing examiner will be rendered in several months, following transcription of the testimony and submission of written arguments by the attorneys for both parties. □



## THE BLIND SCULPTOR OF SANTA FE

BY

OLGA CURTIS

[Reprinted by courtesy of the Denver, Colorado, *Post*.]

Michael Naranjo of Santa Fe, New Mexico, wears bright blue eyes—startling eyes for a full-blooded Pueblo Indian.

"I lost my big brown ones," Naranjo says calmly.

He was blinded in Vietnam in January 1968. The grenade which destroyed his eyes also cost him the use of his right hand. Yet Naranjo, 30, is now considered one of New Mexico's most promising sculptors.

"Fortunately, I am left-handed," he says.

He can cope with his blindness and his useless right hand, but not with sympathy.

"People feeling sorry for me, people trying to help—I couldn't handle that," he says. "So I went out on my own."

Naranjo might have subsisted on his government disability pension. Instead, he made himself self-supporting through his sculpture—a series of bronze statuettes depicting Indian dancers from his boyhood at the Santa Clara Pueblo, images from books, and personal "dreams and visions" based on visual memories.

The sculpture, issued in limited editions, sells for from \$150 to several thousand dollars for some of the bigger bronzes. Sales are steady; many tourists who buy Naranjo's works do not know the artist is blind and one-handed.

Naranjo grew up in Santa Clara and in Taos, where his parents now live. His father, Mike, is a Baptist minister. His mother, Rosie, is a potter.

"I have two brothers and seven sisters, all artists," Naranjo notes. "Art came naturally for me."

But he took only one class in sculpture while studying art at New Mexico Highlands University; his chief interest was sketching.

Naranjo was drafted into the Army in 1967 and sent to Vietnam a few months later. He served with the 9th Infantry in the Mekong Delta until he was wounded.

He decided to become a sculptor during ten months' hospitalization in Japan.

"I got tired of lying in the hospital and asked for some clay. That's when it all started," he explains.

Soon after returning to New Mexico, Naranjo rented a studio in Santa Fe, alone, and began sculpting. He had his first show in 1969, and was able to have his work cast in bronze by 1970. Since then, he has worked only in bronze.

Naranjo's studio is the unfurnished basement of his hillside home. An upright wood frame holds the wires he uses as guides for his figures.

Naranjo works from live models, by touch. His original designs are of wax. These are used as patterns for molds by the Shidoni Foundry at Tesuque, which casts his works.

All of Naranjo's sculptures so far have been less than two feet in height, but he is working on a twelve-foot sculpture in his back yard. It is a giant version of one of his most popular works, "The War Dancer."

"The frame is welded of steel beams and wire, and probably will be covered with papier-mache for the mold," he says. "There will be only one casting. I hope to have it finished by 1976, if I can find the \$30,000 for the bronze."

Why put so much money and effort into a twelve-foot statue when he makes a good living turning out smaller ones?

Naranjo says with a smile: "To see if I can." □

## THE FEDERATION AS A WAY OF LIFE

The organized blind movement has always meant much more to its membership than sponsoring legislation, obtaining equal rights in employment, housing, public accommodations, and transit—it has always been a way of life. An example of this side of the movement are the weddings between Federationists who met first at a national Convention.

On Saturday, April 3, in Baltimore, Maryland, a notable NFB wedding occurred. The bride was the former Miss Judy Miller, the immediate past president of the NFB of Colorado, and the groom was none other than our own NFB Second Vice President, Ralph Sanders.

One hundred guests attended the ceremony and reception which followed. In keeping with the common purpose of the bride and groom, most of the guests were Federationists. The guest list included leading Federationists from affiliates throughout the mid-Atlantic region.

In the best possible tradition of the movement, Judy and Ralph met at the 1972 NFB Convention when they took part in a televised panel discussion on the reasons for the NFB. Over the next couple of years they grew to respect each other as colleagues in the movement. Their close personal friendship developed out of another joint NFB activity. At the 1974 convention of the NFB of Nebraska they engaged in an arm-wrestling contest with the goal of getting onlookers to bet on the winner with the proceeds to go toward the expenses of NFB of Nebraska representatives at the NAC demonstrations in Cincinnati later

in the month. The event was successful enough to enable two additional Federationists to join the NAC-tracking.

Finally this year Judy and Ralph decided to work in the movement as a team. It starts out as a marriage founded in love for each other and with one common purpose: dedication to the struggle for first-class citizenship for blind Americans through the work of the NFB.

Before leaving Colorado, Judy Miller made the following statement at a meeting of the NFB of Colorado Board on March 13:

"Most of you are aware that I am submitting my resignation as president of the National Federation of the Blind of Colorado, to be effective at the end of this meeting. I will be moving to Baltimore, Maryland, where, on April 3rd, I will marry Ralph Sanders and begin a new, exciting part of my life.

"In telling people who are not a part of the Federation that I am leaving, I have seen some interesting reactions. Everyone has wished me all the happiness in the world, but too many have added: 'Isn't it a shame! You did all that fighting with Denver Public Schools and now you're leaving.' Only a person who is not informed about our movement could say such a thing. Any fight we wage is for the blind—not just for a blind person. This particular battle with Denver was waged not just by me, but by fifty thousand of us—and we all played an important part in gaining a victory. Whether in the form of financial contributions, moral support, or just lending your name as

---

a member of the NFB, you were important in our success.

"In five years as a member of this organization, I have come to know that the best friends I will ever have are Federationists. I wish to give special thanks to my officers, chairpersons, and every member of the NFB of Colorado for the cooperation you

have given me during my term as president. I know that you will give my successor the same support. Nominations are now open for president of the NFB of Colorado."

[Note.—Diane McGeorge was unanimously elected to fill the office of president until September, when the State convention will be held.] □

### NOTED BLIND PERSONS IN AMERICAN HISTORY: THE BLIND BOATBUILDER

BY

SHARON GOLD

John Brown Herreshoff was born on April 24, 1841, near Bristol, Rhode Island. The third son born to Charles Frederick and Julia Ann (Lewis) Herreshoff, John received a commonschool education. His maternal grandfather was a sea captain; his father was a farmer and shipbuilder.

John showed an early interest in and aptitude for shipbuilding, constructing a rope walk and a machine shop with a foot lathe at the age of twelve. At the age of fifteen, while engaged in building his first boat, he became totally blind. Following a short period of adjustment to his blindness, John built a longer rope walk, a machine shop, and with the help of his father and brother, Nathaniel, finished his boat, the *Meteor*. This was the first of a number of boats that John built, and in 1863, he received his first commission from Thomas Clapham. This was followed by more orders, one being for a schooner yacht, the *Faustine*, which made the transatlantic passage in seventeen days. Herreshoff built more of these boats, duplicating them on a smaller scale, thus being one of the first to discern the business possibilities of mass production.

After engaging in a short-term partnership with Dexter S. Stone, Herreshoff resumed boatbuilding by himself, and in 1868, he constructed his steam yacht, the *Annie Morse*, followed by a steam fishing boat. In 1874, John and his brother Nathaniel improved the "coilboiler" which had been built by their brother, James B. Herreshoff. The new "coilboiler" proved to be such a success that an order for a small torpedo boat powered by the "coilboiler" was ordered by the United States Navy. Herreshoff continued to build war vessels, steam yachts, and later added steel yachts.

In 1879, John formed the corporation known as Herreshoff Manufacturing Company, of which John Herreshoff, often referred to as "the blind boatbuilder," was president. Under the management of President John Herreshoff, the Herreshoff Manufacturing Company acquired a reputation for constructing the fastest vessels in the world and did work for the United States Government as well as the governments of England, France, Russia, Spain, and Peru.



Although much of the Herreshoff Manufacturing Company's emphasis was on the building of steam yachts and torpedo boats, it did not neglect the sailing yachts, for in 1881 the Herreshoff sloop, the *Shadow*, was the only American boat able to beat the Scottish cutter, the *Madge*. The Herreshoff Manufacturing Company was original in its designs and building methods. It was among the first to construct yachts over molds, keel upward, with double skins, and iron floors and knees.

So successful were the "blind boatbuilders'" racing sloops that the Herreshoff boats

were consistently chosen during the 1890's and early 1900's to compete and defend American titles in boat racing.

In 1870, John Herreshoff was married to Sarah Lucas Kilton of Boston, by whom he had a daughter, Katherine. The marriage ended unhappily, and in 1892 he married Eugenia Thames Tucker of Providence, Rhode Island, who survived him. He died on July 20, 1915.

John Herreshoff appeared in *Who's Who in America* 1903-1915. In 1908, Herreshoff was written up in *Representative Men and Old Families of Rhode Island*. □

## FLORIDA CONVENTION

BY

JUDIE WELCH

The 1976 convention of the National Federation of the Blind of Florida was held at the Ramada Inn West in Jacksonville, the weekend of February 6-8. Festivities got under way Friday night with a cocktail party hosted by the Jacksonville chapter.

First speaker for the Saturday morning session was NFB First Vice President Don Capps, who brought greetings from NFB President Jernigan and presented a report from the National Office. We were all treated to a demonstration of the audible calculator produced by Telesensory Systems, Inc. Donald Weber, the new Librarian of the Florida Regional Library, reported on the present scope of the multi-state center facility, and welcomed feedback from the consumers as to the quality of library service.

Featured speaker at the noon luncheon was Don Boose of the Pensacola Free

Wheeler, who described the club's sight-rider program. As a result of this project, blind and sighted ride tandem bicycles, enjoying the exercise, fresh air, and companionship. The NFB film "The Blind: An Emerging Minority" was shown, and members were urged to circulate the film as widely as possible throughout the State.

The afternoon session was given over to a panel discussion consisting of NFB of Florida members and staff from the Florida Bureau of Blind Services, followed by a breaking up into smaller special interest groups to give blind consumers an opportunity to talk in more depth with staff representing various sections of the agency.

Don Capps, guest speaker at the evening banquet, encouraged Florida Federationists to work even harder in the coming year toward greater realization of NFB goals. The recently organized Gulf Coast Chapter in

Pensacola was officially accepted into the organization with the presenting of the charter of affiliation to the chapter president.

A number of resolutions were adopted during the Sunday morning session, including one expressing strong opposition to the planned interview with a blind beggar on the NBC Today Show.

Elections resulted in the following list of officers and board members: Beth Bowen, president; Glenn Trosper, first vice president; Barbara Nabutovsky, second vice president; Judie Welch, secretary; James Parkman, treasurer; Emile Thibodeau, Maxine Dixon, Bob Bertram, and James Bowen, board members. With the selection of Pensacola as 1977 convention site, the convention adjourned. □

### ALABAMA CONVENTION

The National Federation of the Blind of Alabama held its 1976 annual convention at the Holiday Inn Civic Center in Birmingham, and all who attended agreed that this was our largest and finest convention yet. All chapters were represented, and enthusiasm was at its peak.

Federationists from throughout Alabama began converging on Birmingham Friday evening to plan activities and renew acquaintances prior to the Saturday convention. The board of directors and the resolutions committee met Friday evening, and an active crowd populated the hospitality room until the wee hours of Saturday morning. However, they were also on hand when our president, Mr. T. Euclid Rains, Sr., gavled the meeting to order at 9:00 a.m. sharp.

The convention featured a number of interesting speakers and program items. On Saturday morning we viewed the NFB film "The Blind: An Emerging Minority," and members were urged to request it for showing in their local areas. The film has already been shown on some television stations in the State.

Since social, economic, and political progress of mankind is contingent upon change,

and since change is measured by a standard we call trend, we chose to focus on trends as the theme for our thirty-fifth annual convention. In keeping with this, we discussed trends in education, employment, and service for the blind in the State of Alabama.

At this convention we were particularly pleased to have a number of our State officials address us on the trends in their areas of responsibility. Mr. George Dabbs, principal of the Alabama School for the Blind, spoke on trends in education. Mr. Charles DeLong spoke on trends in library service to the blind. Danny McDaniel spoke on trends in the Business Enterprise Program, and Ralph Bishop and Roy Boulter spoke on trends in rehabilitation and placement of the blind. Ray Miller discussed the programs at the Alabama Industries for the Blind (a sheltered workshop program), and James Carter introduced us to the public employment service in the State. We were particularly pleased and honored to have Mr. Carter present at this year's convention since this represents the first time that we have been privileged to receive such a leading State official outside the field of direct services to the blind.

This year, too, as in the past, we were pleased to welcome a number of guests from other states. Representing the National Office was James Gashel, Chief of the Washington Office. Jesse Williamson from the NFB of North Carolina was also present along with Gabe Fuqua of Mississippi. All three contributed much to our Saturday convention sessions by their participation in the discussion periods.

The highlight of our convention this year was, of course, the banquet. Joe Horsley, president of the Birmingham chapter (the host for this convention), served as master of ceremonies. James Gashel gave the banquet address, and all of us gained a spirit of rededication to the movement from hearing what he said. We were also honored to greet three members of the Alabama State Legislature this year. They were obviously impressed with our message, for one of them remarked at the close that next year he would, as chairman of the delegation, see to it that many more would accept our invitation.

The number and quality of doorprizes at our convention this year also made it worth attending. In fact, the doorprize committee was kept extremely busy, distributing prizes totalling more than one thousand dollars in value.

Busy as we were, though, with doorprizes and convention program activities, we did manage to work in five strongly worded resolutions. Resolution 76-01 called upon Governor George Wallace and other State officials to make good on their commitment for a study of services to the blind in Alabama. Other resolutions dealt with problems at the regional library, and the inadequate pay and poor working conditions in the workshops of Alabama Industries for the Blind. We also adopted a resolution praising Dr. Andrew S. Adams, Commissioner of the Rehabilitation Services Administration, for listening and responding to the blind, and another declaring our opposition to accreditation by NAC and calling upon all agencies in Alabama to cease any plans for such accreditation.

In every respect—attendance, program, resolutions, doorprizes, and hospitality—this was a mighty fine convention indeed. With renewed dedication to the movement and the belief that we can do even better in the future, the Federationists departed from Birmingham to take up the cause in their communities.

Many will be on hand at our annual Convention in Los Angeles in July, and we hope to see you there. □

## TEXAS CONVENTION

BY

PEGGY MELTON

The State convention of the National Federation of the Blind of Texas was held at San Antonio's Blue Bonnet Hotel. The attendance for this convention was the largest ever. The program committee outdid themselves in selecting the speakers.

The morning session included Bob Crider, director of the Houston Lighthouse for the Blind, and Bob Epstein, chairman of the Lighthouse board. The Houston Lighthouse is seeking reaccreditation by NAC. These two men stated their reasons for seeking such accreditation. During the question-and-answer period Federationists sought to change their views, but to this date there has been no significant progress.

State Representative George Preston and Dr. John Best of Preston's staff discussed with Federationists the 1975 Act for the Blind (H.B. 1673). At the time of the convention the State Attorney General had been asked by the Texas Education Agency to rule that a bill of theirs superseded H.B. 1673. Representative Preston thanked the Federation for their letters and testimony before the Social Services Committee of the 1975 legislature in support of his bill. He pledged his support for future legislation concerning the blind. We are happy to report that the ruling of the Attorney General, when it came, was in our favor.

Henry B. Gonzales of San Antonio, a real friend of the blind in the U.S. House of Representatives, once again promised support for our Disability Insurance for the Blind bill. He also promised to lend his in-

fluence in procuring vending stand locations for blind persons in Federal buildings in the San Antonio area.

Congressman Bill Archer of Houston opened the afternoon session. Though he has been a friend of the blind in the past, he disappointed Federationists with his stand on disability insurance. He stated positively he would not support the bill unless he could be convinced that the funds could be found within the Social Security budget. Even with much argument from the floor, he stood firm in his position.

Bud Davidson and Henry Konvicka represented the Texas State Commission for the Blind. Both men reported favorable progress both in general rehabilitation and the Business Enterprise Program.

The national representative was Mrs. Hazel Staley of North Carolina, who gave a summary of the progress of the NFB for the year. She challenged each Federationist to take his place on the barricades. Mrs. Staley's sincere enthusiasm in the delivery of the banquet speech captivated her audience and was an inspiration to all those present.

Sunday morning was a general business session which included the passage of resolutions to achieve: (1) increased SSI benefits for recipients in the State of Texas by matching Federal funds with State funds; (2) the formation of divisions within the State affiliate; (3) an increase in student reader fees for blind students; and (4) the

prevention of insurance discrimination within the State.

Also included in the business session was the election of two board members. The two new board members are William (Butch) Wegner of San Antonio and Sidney

Ward of Dallas. Patsy Akers of Houston was elected to serve as editor of the newly established newsletter. The convention closed at 1:00 p.m. Sunday and many of the conventioners were off to an overnight stay and sightseeing tour of Nuevo Laredo, Mexico. □

## MARYLAND CONVENTION

BY

DORIS SAMUELS

Federationists from Maryland, Pennsylvania, the District of Columbia, New York, and Arkansas convened at the Sheraton Motor Inn in Hagerstown, Maryland, as convention chairman Ned L. Graham wielded his gavel, opening the ninth annual convention of the National Federation of the Blind of Maryland.

On Saturday morning, after an invocation, the assembly was welcomed by President McCraw, and Miss M. Georgia Norford, president of the Hagerstown host chapter, and greeted on behalf of the NFB by Ralph Sanders and Arlene Gashel.

Representatives from the State Library for the Blind and Physically Handicapped, the Maryland School for the Blind, and the Department of Vocational Rehabilitation presented a panel discussion on "Services to the Blind in Maryland," moderated by Joe Bardari and followed by a question-and-answer period participated in by so many Federationists that it was continued after the lunch break.

Dr. Fred L. Crawford, Assistant Director of the SSI program, SSA, reported on "Updating SSI," and Mr. Edwin Abel, program operations officer, SSA, presented a report on "Disability Insurance for the Blind."

The NFB film "The Blind: An Emerging Minority" was well received as was the panel "The Saga of BISM" (Blind Industries and Services of Maryland) moderated by John McCraw. Panelists were Senator Meyer Emanuel and Georgia Myers of the NFB of Maryland Cumberland Chapter.

David Brigham from the Employment Standards Administration, U.S. Department of Labor, offered a most informative report on "Affirmative Action for the Blind."

A sumptuous banquet, preceded by cocktails, was made memorable by the address delivered by our keynote speaker, Ralph Sanders. Highlights of the evening were awards presented to Ned L. Graham, retiring president of the Greater Baltimore Chapter, and Ralph Thompson, who received the Barbara Johnson Award for outstanding work performance at BISM. High spirits and hospitality were all pervasive till the wee hours of the morning, but our Maryland Federationists, being a sturdy lot, reconvened at 9:30 Sunday morning.

Panelists Joe Bardari, Nancy Munck, Al Manecki, and Ralph Sanders joined with moderator Bill Munck to "Explore the



Many Facets of Public Relations" and to lead an audience participation discussion.

Ralph Sanders, John McCraw, Ned Graham, and Arlene Gashel led the conventioners in an active and vocal discussion of Federationism, followed by chapter reports from the six Maryland affiliate chapters.

Marylanders serving on the following national committees: CEIP, COPA, Jacobus tenBroek Endowment Fund, and the Howard Brown Rickard Scholarship Com-

mittee presented progress reports and encouraged the general membership to participate in and assist with these projects.

The Maryland affiliate, recognizing the financial plight of NFB's treasury, collected five hundred dollars on the convention floor to be forwarded to Dick Edlund, and pledges and promises strongly indicate that substantial amounts will be forthcoming. Affiliate affairs were wrapped up at our business meeting and our convention adjourned at 11:45 a.m. □

#### RECIPE OF THE MONTH

SUBMITTED

BY

EILEEN EDLUND

#### POTATO SOUP

##### Ingredients

2½ cups potatoes	½ cup onions
½ cup celery	½ cup powdered milk
1 quart chicken or beef broth	Salt, pepper, parsley (to taste)

##### Method

Dice the celery, onions, and potatoes and add them, with all but ½ cup of broth, to a heavy saucepan. Bring to a boil over medium heat (keeping the pan partially covered). Simmer over low heat for 40 to 50 minutes, until the vegetables are tender. Season with salt and pepper.

Combine the powdered milk with the remaining ½ cup of stock (using a beater or whisk), and stir into the soup. Simmer over low heat for 5 minutes, stirring constantly. Ladle the soup into serving bowls and garnish with finely chopped parsley. Serves 3 to 4. □

## MONITOR MINIATURES

The NFB Music Committee, chaired by Bruce E. Breslauer, will meet at the NFB Convention in Los Angeles. Those interested should consult the agenda which they will receive at the Registration Desk for the time and room assigned for this gathering. Mr. Breslauer indicates that he hopes the committee can serve as a forum for discussion of the problems of blind musicians, especially in areas of discrimination, how to encourage placement agencies to promote hiring of blind musicians, and music notation difficulties present in using Braille.

\* \* \* \* \*

Here we are again—planning another wine and cheese party. We are the CEIP Committee, plus some other volunteers, and we are eager to celebrate our country's birthday by serving you various and sundry wines and cheeses. The time of our birthday party is 4:00 p.m. to 8:00 p.m.; the date is July 4, 1976 (what else); the place is Suite 10227 at the Biltmore Hotel; the tickets will cost three dollars again this year. After the bang of last year's blast I bet you can't think of a better way to celebrate the Fourth. So come see us and help us raise money for organizations of blind people in other countries.

\* \* \* \* \*

The Greater Boston Chapter, NFB of Massachusetts, is offering a special Bicentennial recorded "Walk Through Historic Boston." The tape will detail sites of special interest along Boston's famous Freedom Trail, as well as notes about particular points of interest to be attended by visitors.

There is discussion of services, shopping, tips on where to go, et cetera. The tape is narrated in a quiet, conversational manner, and lasts nearly forty minutes. The charge is \$1.50 per tape. To order, make your written request, with check or money order, to A. A. Evans, 15 Wave Way Avenue, Winthrop, Massachusetts 02152. Your check or money order should be made out to: NFB of Greater Boston. Tapes will be mailed as orders arrive. Get one. You'll enjoy it whether you are able to visit Boston or not during these important times.

\* \* \* \* \*

The Texas affiliate is working on a vacation raffle as a fundraising effort to help support our organization. Federationists, for a one-dollar donation, can obtain a ticket—from any Texas delegate—during the NFB Convention in Los Angeles. The winner will get a vacation for two and expense money. The ticket is worth \$500 and the expense money is fixed at \$300. The winner may have \$800 in cash if the vacation is not feasible. The drawing will take place during the week of the Convention.

\* \* \* \* \*

How much can a recipient of Disability Insurance under the Social Security Act receive in earnings each month without risking his benefits. In the past the retirement test figures were raised periodically by the Congress to guard against lessening of the buying power of those non-disabled retirees who wished to supplement their social security benefits. However, the dollar test for Disability Insurance beneficiaries always seemed to lag behind.

The Social Security Act was recently amended to provide for a systematic adjustment of the retirement earnings test. Under this automatic procedure the figures are increased each January to reflect increases in average taxable wages and salaries of employees covered by social security. Based on this technique, there was an increase (from \$210 to \$230 a month) effective January 1976 in the amount of earnings a non-disabled beneficiary may earn without any loss of his monthly benefits.

Under the Disability provisions of the Social Security Act, the Secretary of Health, Education, and Welfare has the responsibility to prescribe the criteria for determining when an individual's work has demonstrated that he has an ability to engage in substantial gainful activity (SGA). Because of increases in average earning levels, the fixed dollar amounts in the SGA guidelines also need to be periodically adjusted. Consequently, effective January 1974, the dollar figures above which earnings were ordinarily considered representative of substantial gainful work were raised (by regulation) from \$140 to \$200 a month.

On February 18, 1976, a change in the SGA regulations was proposed in the *Federal Register* which would raise this dollar figure, effective January 1976, from \$200 to \$230 a month. Included in this is an automatic mechanism for adjusting this dollar figure on an annual basis, similar to the method currently being used to systematically adjust the retirement test exempt amount. Under this automatic mechanism, the figures in the SGA criteria and retirement test would show identical increases (if any) each January. Thus the earnings test under Disability Insurance will be the same amount as that for retired persons under the Social Security Act. This is a

long-overdue and devoutly-to-be-wished achievement.

\* \* \* \* \*

At the 1976 NFB Convention, those interested in discussions and small groups concerned with various technical trades will have an opportunity to exchange ideas. Last year a Technical Trades Committee was formed. Thus far, seminars in the field of advancing the piano technician's business and radio broadcasting and related fields have been arranged. Other groups may evolve as the need arises in other technical trade fields. If you wish to gain further information or contribute your ideas, contact Walter Woitasek, 452 Ash Street, Brockton, Massachusetts 02401.

\* \* \* \* \*

The Cultural Exchange and International Program Committee (CEIP) of the National Federation of the Blind has produced a Spanish-language version of our familiar NFB brochure "What is the National Federation of the Blind?" These brochures may be effectively used in introducing the NFB, our philosophy and our programs, to Spanish-speaking communities across the country. Social welfare agencies, churches, service clubs, and libraries in Puerto Rico or Mexican-American neighborhoods, as well as Spanish-language newspapers and radio and TV stations, should all be made aware of the NFB through this brochure. Copies of the brochure may be obtained by contacting Rami Rabby, Chairman, CEIP Committee, 525 North Michigan Avenue, Apartment 304, Chicago, Illinois 60611; telephone (412) 467-1620.

\* \* \* \* \*

A year ago a blind man walked into a St. Paul bank and asked to open a checking account. The bank was truly concerned that it had to refuse him but made a study around the country. There was a bank in New York and another in California which had special services for blind persons, so the St. Paul bank got busy. They developed a package that includes a Braille check-writing device with extra-large checks. Monthly checking and savings account statements are printed in Braille. There is no extra cost for this service.

\* \* \* \* \*

The National Federation of the Blind of Illinois has established the John W. Myers Scholarship as a lasting memorial to John Myers, past president of the NFB of Illinois. The scholarship will be awarded annually at the State convention to a blind college student in Illinois. Anyone wishing to contribute to the scholarship fund may send memorial gifts to Mrs. Ruth Anne Schaefer, treasurer, NFB of Illinois, Box 141, Mazon, Illinois 60444.

\* \* \* \* \*

Like to learn a foreign language—for academic credits, culture, business, friendship, or just plain fun? If so, you can study by mail, using Braille and recordings, with the expert coaching of your own personal tutor through the free correspondence courses of the Hadley School for the Blind. Spanish, French, German, Italian, Portuguese, Esperanto—you choose. For further information, write to: Student Services Department, Hadley School for the Blind, 700 Elm Street, Winnetka, Illinois 60093.

\* \* \* \* \*

We are happy to announce the marriage, on April 3, of Norman Bolton, president of the NFB of Rockford (Illinois), and Marilyn Bokker. Congratulations, too, to Dan Crawford and Susan Flanigan, members of the NFB of Rockford, who were married February 14.

### Chapters Report Elections

New officers of the **Greenville Chapter of the South Carolina Aurora Club of the Blind** are as follows: president, Patricia Harris; vice president, Archie Nunnery; secretary, Billy Ray Eller; treasurer, David Houck; social director, Marlene Black.

Officers of the **NFB of Spokane (Washington)** for 1976 are: president, Alden Gerling; vice president, Henry Peacock; secretary, Mary Lorenz; and treasurer, Lew Hendrix.

Newly elected officers of the **Kaw Valley Chapter, NFB of Kansas**, are: president, Walter Long; vice president, Sonia Carr; recording secretary, Jeanne Thomas; treasurer, Naomi Bowen; and corresponding secretary, Muriel "Dollie" Arensman.

The **NFB of Rochester, New York**, was organized March 9th of this year, with a starting membership of eight and hopes for more. The officers are: president, David Walker; vice president William Rider; and secretary-treasurer, Carl Martens.

New officers of the **Progressive Sightless of Licking County (Ohio)** are: president, Don Bowers; first vice president, Bill Davis; second vice president, Art Staggers; secretary, Alice Cagney; and treasurer, Paul Thoma.

The **NFB of Yakima County (Washington)** has newly elected officers: president,

Maria Bradford; vice president, Diana Betts; and secretary-treasurer, Paula Jeanne Bradford.

Officers of the NFB of Cincinnati for this year are: president, Paul Dressell; vice president, Esther Risch; secretary, Barbara Frazier; treasurer, Jeanette Galbreath; and financial secretary, Lovey Dressell.

The Tri-County Chapter, NFB of Nebraska, has new officers: president, Bernice Falk; first vice president, Richard Zlab;

second vice president, Sherry Manthe; secretary, Mary J. Lesch; treasurer, Cheryl Livingston; board members: Shirley Hanley, Tom Moeller, and Richard Parker.

New officers for the Henderson County Council of the Blind (Kentucky) are as follows: president, John Steele; vice president, Orville Phillips; recording secretary, Geraldine King; corresponding secretary, Mary Meuth; and treasurer, Mrs. Lloyd Agnew. □





NATIONAL FEDERATION OF THE BLIND  
2652 SHASTA ROAD  
BERKELEY, CALIFORNIA 94708

ADDRESS CORRECTION REQUESTED

NON-PROFIT ORGANIZATION  
U.S. POSTAGE PAID  
PERMIT NO. 581  
DES MOINES, IOWA